Towns in Mind: Urban Plans, Political Culture, and Empire in the Colonial Chesapeake, 1607--1722

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Towns In Mind:
Urban Plans, Political Culture, and Empire
in the Colonial Chesapeake, 1607-1722

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of the College of William and Mary in Candidacy for the Degree of
Doctor of Philosophy

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The College of William and Mary
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This dissertation charts the contested political and cultural meaning of urbanization in the emerging plantation societies of Virginia and Maryland. Scholars have long asserted that Chesapeake planters' desire for lucre led them to patent huge tracts of land, disperse across the landscape, and completely dismiss urban development. However, through 17 pieces of legislation, colonists, governors, and London administrators actually encouraged towns in the Chesapeake through the seventeenth century. Despite the environmental and agricultural constraints of tidewater tobacco, both colonies wrestled with a perceived need for towns, which consistently appeared to represent the best means to engineer the region's political economy and local social order. Shifting demographics, a changing labour system, religious conflict, and increasing imperial pressure for control created an atmosphere in which the promise of urbanization could be a powerful tool for various Atlantic actors seeking to shape the emerging plantation system to their purposes. They shared a desire to urbanize the region, but quarrelled because they had contradictory definitions of precisely what a town was, how it should function, and how it should be governed. These divergent visions sprang from and contributed to a contemporaneous European contest between ancient boroughs and modern cities, civic humanism and the emerging nation-state. Towns in the Chesapeake only became widespread in the mid-eighteenth century, once the broader questions of political order in England's boroughs and its plantation empire had been resolved.

Piecing together a range of sources, this dissertation emphasizes the political, economic, and cultural context of the region's many urban plans—and especially the subtle differences in context between Virginia and Maryland—in order to demonstrate how and why town building remained a vital weapon in broader constitutional and commercial disputes. Its transatlantic source base connects the Chesapeake's planners and proposals with the contests in English boroughs and Whitehall: spatial, ceremonial, sensory, and cultural analyses uncover the overlooked significance of urban foundations that remained only paper plats or collections of warehouses. The project highlights how proto-urban spaces fit within, or challenged, the emergence of a plantation landscape on the physical, cultural, and political levels.

Part 1 explores urban plans in seventeenth-century Virginia, their connections to English commercial and political rivalries during the Civil War, their role in provoking Bacon's Rebellion, and finally their part in a 1680s transatlantic contest over corporate government. Part 2 offers a parallel story of town-founding efforts in Maryland, exploring how Lord Baltimore's proprietary authority distinguished the complexion of urban development there. Part 3 addresses the entire Chesapeake region after 1689 (once both colonies had fallen under royal control), tracing Governor Francis Nicholson's efforts to reshape the definition of urbanity in the empire by founding Annapolis and Williamsburg and demonstrating how they pushed the concept of the imperial city to the centre of Atlantic political discourse. The fault lines of this debate had become so entrenched by the 1710s that it was abandoned entirely, and during the eighteenth century both colonies developed new kinds of plantation cities, freed from the bitter Atlantic disputes of the previous century.
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This Dissertation is submitted in partial fulfillment of the requirements for the degree of

Doctor of Philosophy

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To My Parents

&

To Meg
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At many times while researching and writing this dissertation I have felt like a kindred spirit to the urban planners and advocates I investigate – struggling to bring ambitious plans into line with practical realities. Fortunately I have benefited from something they could never quite realize: transatlantic support and encouragement. In these few brief lines I am grateful to be able to recognize all of the people who have helped this project reach whatever resolution it has.

Teachers and fellow scholars throughout my various stages of education have endowed me with a passion and curiosity for the past that has helped me persevere through the research and writing of this dissertation. Peter Reason at Gorseinon College was largely responsible for inspiring me to pursue an undergraduate degree in history. The inimitable verve, insight, and generosity of Clive Holmes nurtured my interest in research, and particularly early American history – both my scholarship and my pedagogy strive to reflect what he taught me. At William and Mary my range of analytical tools was broadened considerably by scholars including Charlie McGovern, Mel Ely, Paul Mapp, Phil Daileader, and Chris Grasso. I switched from the social history of South Carolina to the political culture of the Chesapeake following a fascinating semester spent studying with Alec Haskell. While I began to flounder toward linking my interest in urban history with my curiosity about the Chesapeake, I drew encouragement and insight from numerous conversations with Jim Horn – for which he found time despite his increasingly busy schedule over the past four years. As this project has matured I have also enjoyed fruitful conversations about the research with other scholars too numerous to acknowledge. I would particularly like to thank Ron Hoffman, Mark Hanna, Jim Rice, Holly Brewer, John Donoghue, Jonathan Eacott, Dorothea Fischer-Hornung, Julie Richter, Michael Lucas, and Hank Lutton. Many other historians have taken the time to meet with me or respond to my emails regarding specific questions and queries, including Lorena Walsh, Edward Papenfuse, Carl Lounsbury, Jamie May, Gary DeKrey, Paul Halliday, and particularly Jean Russo, who hunted down and copied numerous files for me from Lois Green Carr’s papers at the Maryland State Archives. Stepping in during the latter stages of the dissertation, Warren Billings and Gail Bossenga have both given extremely generously of their time to critique and comment on, and vastly improve, the project. Most of all, this dissertation rests upon the unceasing support of Jim Whittenburg, who has offered guidance and encouragement throughout my time at William and Mary, been the quintessential role model for pedagogical excellence, and spurred my research on through numerous moments of panic.

Any dissertation, of course, rests not only upon conversations and ideas but also upon concrete evidence and archival research, and I am very grateful to the people and institutions that have enabled me to explore the sources for this project. At Colonial Williamsburg’s John D. Rockefeller, Jr. Library, George Yetter and Doug Mayo have been generous and good-natured in the face of my many requests and queries. The Virginia Historical Society generously awarded me an Andrew W. Mellon fellowship, which provided
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Archives—William H. Brown et al., eds., Archives of Maryland (Baltimore, Md., 1883-1972), 72 Vols.

CO—Colonial Office Records, National Archives of United Kingdom (consulted using the Virginia Colonial Records Project microfilms at the John D. Rockefeller Library, Colonial Williamsburg, the photostat copies in the Manuscripts Collection, Library of Congress, Washington D.C.)


HS—William Waller Hening, ed., Statutes at Large; Being a Collection of All the Laws of Virginia, from the First Session of the Legislature in the Year 1619 (Charlottesville, Va., 1969), 13 Vols.


MHM—Maryland Historical Magazine

VMHB—Virginia Magazine of History and Biography

WMQ—The William and Mary Quarterly
Introduction:

“Ruining singularity in our manner of living”

I must send them for a pattern to the whole World; yea, and to be upbraided by the Heathen Nations, who generally do Cohabit. Let the Brute Beasts Check them, who generally resort together in Droves; I’ll send them to the Fishes of the Sea, who swim together in shoals; The very fouls of the Air do flock together; All these concur in upbraiding our folly and ruining singularity in our manner of living, and scattered Habitation.

Francis Makemie, A Plain and Friendly Persuasive to the Inhabitants of Virginia and Maryland For Promoting Towns and Cohabitation (1705)

Nearly one hundred years after the foundation of Virginia, Francis Makemie surveyed the state of both Chesapeake colonies, Virginia and Maryland, in his Plain and Friendly Persuasive. The century had brought demographic, economic, political, and social development in both colonies. In Makemie’s eyes, however, Virginia and Maryland were handicapped by one vital flaw, one “ruining singularity,” distinguishing them from the rest of English America, the rest of human civilization, and even the rest of God’s creation. The Chesapeake lacked towns. One hundred years of colonization had resulted in a dispersed settlement pattern, with isolated plantations strung out along the bay’s many rivers. Makemie’s comparisons to the animal kingdom implied that he had more in mind than simply the economic advantages of a commercial hub, or the permanence of a built environment; he was concerned that settlers in their “scattered Habitations” were at risk of losing the social cohesion and political order fundamental to all life on earth. The structures of society, politics, culture, and religion were all jeopardized by the uniquely rural character of Chesapeake life. Throughout the rest of his text, Makemie highlighted the ways in which class tensions, the rise of slavery, the
limited nature of religious observance, and the uneven economic fortunes of the region were all connected to its lack of towns.¹

Makemie was not alone in expressing these opinions. In fact, his work represented the culmination of a century-long debate about the necessity and practicality of urbanizing the region. Since the founding of both colonies there had been a determined desire for urban development. Early promoters of English colonization believed compact settlement of their first colonists would assist with defence and trade as well as civility. Although most English cities were not fortified, the rest of Europe was in the midst of the age of siege warfare, in which towns were defensive nodes that secured control over territory, and the English were well aware of these tactics. Equally, many of the early planners and investors in the colonizing endeavour were merchants who were fully cognizant of the need for an urban market to ease the exchange of goods and the regulation of trade. Finally, early-seventeenth-century England was also influenced by the flourishing European trend of civic humanism, which taught that tightly bound communities with common interests, joined together as an independent urban society, could best perfect human virtues and seek the public good.

Yet while these ideals were central to the early colonizing efforts in both Virginia and Maryland, investors and colonists were still searching for a commodity that could provide a return on their financial investment; they eventually identified tobacco as their marketable crop. A profitable agricultural product, combined with liberal distributions of land, meant that unlike the New Netherland and New England, which developed vibrant urban communities by the middle of the seventeenth century, the Chesapeake saw a rapid dispersal of population over a vast area of largely flat, fertile land, which was well served by rivers and

creeks for transportation. Even so, the issue of urban development persisted. Efforts were made throughout the century to reinvigorate the capital cities of both Virginia and Maryland (Jamestown and St. Mary's City, respectively). Eventually, Governor Francis Nicholson endowed both colonies with elaborate new capital cities – Williamsburg and Annapolis – in the 1690s. As early as the 1610s, the Virginia Company had also begun contemplating urban development beyond the colonial capitals, and in the second half of the seventeenth century, repeated attempts were made to establish a range of urban centres across the region. English officials and London merchants prompted the colonies to establish towns, which were favoured by Maryland's proprietor, Lord Baltimore, and were also popular with provincial delegates. Before 1710, nearly twenty different proclamations and acts had been issued in both colonies combined, mandating anything from four to forty different towns into existence. The plans all ordered the survey and sale of town lots, the imposition of trade restrictions, and various other incentives designed to provoke colonists to invest and reside in the new towns. However, each time the issue of urban development was raised, a contest ensued over precisely what kind of towns would be built, by whom, and where.

The tobacco boom had failed to address fundamental problems that urbanization had the potential to resolve. The region still lay dangerously open to attack, its economy was dependent on the vagaries of a single crop, and planters in both colonies fought over the

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best way to secure political order and the common good. Beginning in the 1650s, each province also had to wrestle with the increasing pressure of English officials seeking greater oversight of colonial affairs, and the potential political and economic power of towns was vital to this contest for control. Officials in London, leaders in both colonies, and ordinary men and women who settled the region all concurred that the lack of towns was an oddity that had to be urgently addressed. However, they could not agree on how towns should be stimulated, and as a result, all of their effort and concern persistently failed to generate any towns larger than fifteen to twenty houses. Nevertheless the prospect of cities remained real and contentious throughout the century. It was only after the failure of Makemie’s scheme by 1710 that colonists in Virginia and Maryland finally came to terms with the role of the city within their societies. The persistence of this urban discourse amongst a broad spectrum of people in a rural colonial region, which was experiencing dramatic shifts in its social structure, economy, and labour system, is a phenomenon that calls out for historical analysis. What roles did they believe the city should play within the emerging English Atlantic empire, and what can this tell us about the evolution of political culture in this plantation region?

Few scholars, though, have engaged with the extent and complexity of the region’s urban debate or acknowledged its many links to the broader development of plantation society, culture, and politics. This is a tradition of long standing. Thomas Jefferson, in his Notes on the State of Virginia (1781), spent only a few paragraphs on the region’s towns and cities, explaining that Virginia had “no towns of any consequence” because, the “country being much intersected with navigable waters,” it was unnecessary for trade to coalesce in a small number of locations.3 Most historians have followed Jefferson’s lead in one way or another. Carl Bridenbaugh’s early-twentieth-century work on the city in English America

completely ignored the Chesapeake, and Philip Alexander Bruce’s study of the Virginia economy discussed the town-building but largely concluded that Jefferson had been correct in his assessment. Recent scholarship has acknowledged the existence of urban aspirations in the region but has definitively demonstrated that Virginia and Maryland were under-urbanized throughout the colonial period and compared the dispersed plantation landscape with the New England town model. Historians have largely accepted Jefferson’s premise that the places designated for towns were better labelled “villages or hamlets” and were of little “consequence.” They have spent their energies attempting to explain why urbanization failed in the region. It is worth surveying briefly the ways in which they have acknowledged but downplayed the persistent civic and urban discourse in Virginia and Maryland.

The first modern scholar to investigate Chesapeake towns was urban-planning historian John Reps. In his volume Tidewater Towns, Reps gathered an extensive collection of seventeenth- and eighteenth-century maps and plats of urban sites in colonial Virginia and Maryland and analyzed the development of urban layouts and the skills of colonial town planners. Although he drew attention to the persistent interest in urban development, Reps was primarily interested in the sophisticated urban designs of the baroque and the eighteenth century, and in identifying their precise contours and origins. Tidewater Towns was part of Reps’ larger effort to trace town planning in American history more generally. As a result he drew sharp distinctions between what he saw as provincial urban planning – typified by the basic grid patterns of most late seventeenth century towns – and the intricate and intellectual street layouts of Williamsburg and Annapolis, precursors of Pierre L’Enfant’s elaborate

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design for Washington, D.C. Reps's approach has been adopted by a number of archaeologists, particularly Henry Miller and Mark Leone, investigating the Maryland capitals of St. Mary's and Annapolis, respectively. Their fine-grained research has recovered the details of baroque planning in both cities, but they have been reluctant to fully place these urban designs into the context of the larger debate over towns in the colony. Because they largely limited themselves to maps, plats, and reconstructions, these scholars have been unable to tease out the interplay between the various town-founding efforts in the region, and merely trace the evolution of rival provincial and cosmopolitan styles in a reified collection of urban forms.\(^6\)

After Reps, the next serious engagement with towns came during the mid-1970s as a result of research and debate in the community of historical geographers. They challenged Jefferson's assessment that the riverine landscape was the cause of the Chesapeake's stunted urbanization. Using the methodology of human geography, they mapped economic ties, infrastructure, and commodity prices across the landscape. Dispensing completely with the cultural meaning attached to urbanity, they developed their own functional definitions of what constituted a colonial "town," emphasizing its role in distributing goods, processing commodities, and acting as nodes of communication. They asserted that these were the inherent functions of urbanity and they set about identifying them in the Chesapeake and the


colonial South more generally.\textsuperscript{7} Joseph Ernst and Roy Merrens inaugurated this approach, and it was developed further by James O'Mara who studied Virginia county records and identified places on the landscape where the functions he described as "urban" coalesced. However, O'Mara largely neglected the contemporary debate between colonists and officials over the status of towns and the rhetoric involved in that debate, and his definition of urban functions was so loose that wherever he looked he found towns, without considering the cultural markers and civic identity that were central to colonists' own discussions of urbanization.\textsuperscript{8} The problematic nature of this functional approach was underscored by the fact that other historical geographers, Carville Earle and Ronald Grim, undertook similar studies of the distribution of social and economic functions in other parts of the region and concluded that their work demonstrated not the existence of many unknown towns but rather the reasons why Chesapeake colonists were able to survive without urban centres through the dispersion of urban functions across the landscape.\textsuperscript{9}

All of these studies provided invaluable insight into how colonial communities were structured and how they functioned. In particular Earle and Ronald Hoffman were able to critique and adjust Jefferson's assessment that the region's rivers had been the impediment to urban development; they asserted that it was, in fact, the nature of tobacco, a commodity that (unlike grain) required little secondary urban processing before export, that reduced the need for towns. By contrast, they argued that the eighteenth century saw an urban revolution

\textsuperscript{7} Joseph A. Ernst and H. Roy Merrens, "'Camden's turrets pierce the skies!': The Urban Process in the Southern Colonies during the Eighteenth Century," \textit{WMQ}, 3\textsuperscript{rd} Ser., 30 (1973): 549-74; see also a very effective rebuttal of Ernst and Merrens in Hermann Wellingreuther et al., "Urbanization in the Colonial South: A Critique," \textit{WMQ} 3\textsuperscript{rd} Ser., 31 (1974): 653-71.

\textsuperscript{8} James O'Mara, \textit{Historical Geography of Urban System Development: Tidewater Virginia in the Eighteenth Century} (Downsview, Ont., 1983).

in the two colonies because the economy transitioned from tobacco to grain and settlement pushed inland. Earle and Hoffman’s formula was so powerful that it reduced further work on the topic. Robert Mitchell, subsequently suggested that economic explanations of urbanization fail to account for the local circumstances that drew communities to coalesce; yet even Mitchell’s interest in balancing the local and regional factors was mainly focused on explaining the developments of the eighteenth century, and pays little attention to broader Atlantic political and cultural factors that affected the perception of urbanity in general. The combined achievement of these scholars was to demonstrate exactly how the Chesapeake region survived without urban centres until the second third of the eighteenth century. But because they used modern definitions of what constituted a town, they could not account for the concerns of men such as Makemie. If urban functions were fulfilled elsewhere, or if tobacco required few towns, then why did Chesapeake planters spend so many years attempting to cultivate them, and why did they do so in such a vast range of ways?

The concern with identifying urban functions has also become a defining characteristic of archaeological research into Virginia and Maryland urban development. Numerous excavations and studies of surviving towns such as Williamsburg or former town sites such as Londontown have revealed considerable detail about the physical process of building and inhabiting urban spaces in the seventeenth-century Chesapeake. For example, Michael Lucas has used distributions of material goods across the former site of Charles

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Town in Prince George's County, Maryland, to demonstrate how various members of the local community used the site. Audrey Horning has also done vital work in tracing the structural development of Jamestown through the seventeenth century, accounting for the types of buildings constructed and their potential uses for industrial or residential purposes. These studies can tell us much about how the use of proto-urban spaces evolved after their initial planning, details that are often neglected in written accounts. However, by focusing on the ways buildings were used, these scholars consciously underscore the disjunction between form and function; they seek to outline the ways in which the urban plans compiled by Reps were adapted to serve the functions of urbanity that have been designated by historical geographers. For example Horning’s work, combined with that of many other archaeologists at Jamestown, inspired a broad reconceptualization of Virginia's urban development by a group of scholars led by Cary Carson; the group concluded that the idea of the city in the colonial context was formed through a trial-and-error process of creative adaptation in which buildings and urban spaces were employed for a range of different functions until the 1680s, when colonists found – in tavern-keeping and leisure functions – an urban “prescription that worked.” Such a conclusion fails to address why colonists themselves, particularly writers such as Makemie, remained unsatisfied. Functional analysis, whether it be drawn from economic or archaeological data, imposes upon the seventeenth-century

Atlantic world narrow definitions of urbanity and success that meant little to contemporary English men and women. Scholars have thus demonstrated how and why urbanization was continuously frustrated, but they have not been able to explain why it remained such a contentious and vital issue in the colonies and in Whitehall.

Away from debates over urban form and function, the influence of Jefferson’s dismissal of Virginia towns has also been felt in scholarship on the region’s social and political history. Since the 1970s historians have spent considerable effort tracing the contours of development in Chesapeake society, offering detailed analyses of how initial generations of planters carved up the land and developed the tobacco economy, and how later generations converted to slave labour and eventually became divided into a distinctive social hierarchy by the eighteenth century. Jefferson, who sat near the top of that hierarchy when he penned his comments in 1781, was happy to dismiss towns and cities as irrelevant, and so, aside from accounting for sociability and elite networking in the colonies’ capitals, scholars have largely ignored their role in shaping these mid-eighteenth-century societies. 15 Because later generations of planter elites articulated their power so effectively through an established system of rural county courts, and because the records that have survived are organized around counties, historians have tended to trace the gradual development of an organized county system and established local elites out of the chaos of the early settlement period. 16 By the turn of the eighteenth century, Martin Quitt suggests, the second


16 For the focus on county structures, community formation, and the development of an elite in Maryland, see Lois Carr, "County Government in Maryland, 1689-1709" (Ph.D. diss., Harvard University, 1967); Carr, "Sources of Political Stability and Upheaval in Seventeenth Century Maryland," Maryland Historical Magazine 79 (1984): 44-70; Carr and David W. Jordan, Maryland’s Revolution of Government, 1689-1692 (Ithaca, N.Y., 1974);
generations of these dominant families were primarily native-born colonists, raised in the rural environment of the Chesapeake and ready to take up the social position of agrarian gentlemen. Although some historians, such as John Rainbolt, have engaged with the ongoing debate about urbanization in the colonies that paralleled this process, they have portrayed town-development as entirely an economic issue, suggesting that towns were championed by a section of the emerging elite as a temporary expedient to diversify the economy and secure financial standing in a turbulent tobacco market, and that they were ultimately stymied by the opposition of London officials and the majority of ordinary colonists. Political historians have also noted that the town issue provoked debate in both colonies’ legislative assemblies, but it is considered merely a minor part of the contest between local leadership and imperial officials. These interpretations ignore the fact that urban plans were proposed by a range of
people in Virginia, Maryland, and England; they also overlook the inherent challenge that
towns with economic, political, cultural, and social power might have posed to the
developing local elite if they were not under their control. As many of the colonies’ urban
plans frankly acknowledged, seventeenth-century towns were regularly endowed with unique
political and economic powers, and they formed distinct relationships with royal authorities,
which complicated their imposition on the Chesapeake landscape. Scholars have thus
underestimated the role that the continued civic discourse in the Chesapeake, up to the early
eighteenth century, had on the political and cultural position of the planter elite.

Makemie’s anxiety about Chesapeake urban development has not been forgotten by
this vast array of historical scholarship on the region during the past forty years. It has,
however, been dismissed as being of little “consequence” to the larger trends of plantation
development. Historical geographers have established a nuanced explanation of why the
economic and mercantile needs of Chesapeake society did not coalesce into urban spaces
and identified how the functions of a town came to be provided by the rural landscape. With
this issue settled, research has sought to flesh out the ways in which this contentedly rural
society developed into a county-based social hierarchy complete with a system of racial
slavery and a culture of deference. That town development was perhaps part of the
Chesapeake elite’s concerns over the economy and imperial mercantilism or their interest in
baroque culture has been accepted. However, the recurrence of the urbanization issue in
both colonies, in subtly different but always contentious ways, from the earliest generations
of settlement to the 1710s, and the considerable debate, transatlantic correspondence, and
pamphleteering it generated, has been overlooked.

Scholars have dismissed the struggle for urbanization in the Chesapeake because they have seen it as a simple, easily definable proposal, as if towns in this period had a single uncontested set of characteristics that might benefit one group or another, that might be employed or ignored, that might fit within the Chesapeake economy or not. Reps assumed that successful towns would have a particular street layout, Rambolt asserted that they would necessarily involve craftsmen and manufacturing in particular ways, and O'Mara insisted that they must be centres for regional marketing. But early modern English urbanization involved all of these factors, and many more cultural and political concerns as well. It is therefore unsurprising that seventeenth-century legislators, colonists, and administrators thought more broadly than modern historians when asking what exactly towns were and then identifying how they might be built in the Chesapeake. Scholarship in other fields has suggested that defining urbanity in the early modern period and understanding its relationship to political, cultural, and economic power is more complex than historians of the colonial town-building efforts have assumed. A number of these historiographical developments can help to complicate and contextualize the urban debate in Virginia and Maryland.

Even historians and sociologists working in the broadest sense to define the nature of the city have struggled to identify a typology of urbanization. Specialists in urban studies during the 1960s and 1970s debated exactly what characterised a city and undermined many of the basic functional interpretations used by Chesapeake geographical scholarship. What remained was a stark appreciation of the way in which urbanization shaped and was shaped by the power relations within a society rather than emerging merely from economic patterns. At the forefront of this effort was the work of Fernand Braudel. In his trilogy of studies on the early modern world, Civilization and Capitalism, Braudel gave towns and cities a privileged position as one of the fundamental building blocks of society, or what he termed "structures
of everyday life.” While he asserted that cities have a number of definitive qualities, in terms of their division of labour and their relationship with the market economy, he also suggested that they contain “a form of power, protective and coercive,” which they exercised over their hinterlands. Crucially, Braudel did not limit this power to merely economic functions or urban forms but rather showed how the economic position of cities as loci of production, consumption, and exchange imbued them with the power to shape the society around them, and ultimately, in Braudel’s view, to drive the development of capitalism. In the words of another historical sociologist, Philip Abrams, “both internally and externally the town is an institutional expression of power.” Furthermore, Braudel, throughout his analysis, traced the contested relationship between urban power and the rising power of the state, suggesting that ultimately the “closed” autonomous city gave way to a “subjugated” city that was harnessed by the state. Braudel’s sweeping analysis suggests that this transition, seen in cities such as Venice, Antwerp, Amsterdam, and London, helps to explain the parallel rise of capitalism and the state. These conclusions are far broader than the remit of this study, but they do suggest an enlarged framework for understanding the urban concerns of Chesapeake planters. Rather than simply viewing the city as a collection of economic functions (which in the case of the Chesapeake region happened not to coalesce) or as a limited short-term panacea for a particular section of plantation society, Braudel’s work suggests that it was a vital social form with considerable political, social, and economic power, which in the early modern era was caught between independent authority and subjugation to the power of the state. Considering that emerging Chesapeake elites were constantly in a dialectic with the increasingly powerful agents of the English imperial state during the seventeenth century,
Braudel’s synthesis indicates that we need to take more seriously the potential – albeit unrealized – role that the foundation of cities played in this negotiation.19

More recent research, however, has turned away from the idea of a town as merely a set of power relations by reminding us of the vital importance of urban space. Scholars have demonstrated that urban spaces could be consciously crafted to express particular identities or ideological positions, but that they could also be more easily overseen, allowing states or elites to manipulate space to limit particular social classes, races, or genders.20 One especially relevant example of the use of spatial analysis is Cynthia Wall’s *The Literary and Cultural Spaces of Restoration London*, which shows how attempts to rebuild London following the Great Fire of 1666 were conditioned by the crown’s dream of a spatial order but were ultimately foiled by a deeper sense of spatial memory and identity retained by the city’s inhabitants.21 The spatial turn has also alerted scholars to other ways in which people have defined and interacted with the city: through the mapping of urban space, the use of urban ceremonies, and the multisensory experience of inhabiting or passing through a town.22 These viewpoints

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20 Important figures behind the spatial turn include Henri Lefebvre, Michel Foucault, Edward Soja, and Pierre Bourdieu. For concise summaries of their contributions, see Phil Hubbard, Rob Kitchin, and Gil Valentine, *Key Thinkers on Space and Place* (London, 2004). For a survey of the spatial turn in historiography, see Ralph Kingston, “Mind Over Matter? History and the Spatial Turn,” *Cultural and Social History* 7 (2010): 111-21.


can add complexity to our understanding of the fitful process of building towns in the Chesapeake. They suggest that urbanization was not just about adjusting the way goods were shipped into and out of the region. Towns represented a different kind of space from the plantation: marking new towns on the map changed the hierarchy of conceived space in Virginia and Maryland, using nascent towns for ceremonies adjusted the social context for local communities away from the private plantations of particular individuals, and bringing men and women together in towns altered the sensory experiences that had become typical on isolated colonial farms. To understand the persistent and controversial debate over towns in the Chesapeake, then, we must appreciate the way in which urbanization could reorganize colonists' mental maps of their neighbourhoods and their province. Towns would generate new kinds of space that might be defined and controlled by a range of different people from imperial officials to ordinary colonists and that would compete with the social and cultural meanings that were becoming associated with the plantation as a spatial category.

In addition to general methodological trends, recent developments in the more specific historiography of early modern English urban development also complicate the consideration of the Chesapeake’s urban debate. Virginia and Maryland’s persistent failure to establish towns stood in sharp contrast to the steady growth of English towns and cities during the seventeenth and eighteenth centuries. The British Isles was, in fact, the only region of Europe to see an uninterrupted rise in urban residence among its population.

between 1500 and 1800. Initially, this growth came almost entirely from the ballooning population of London, but in the later seventeenth century the number and size of provincial towns also grew. Between the years 1673 and 1690, when Virginia and Maryland were most aggressively pursuing urbanization, sixty-two new market towns were established in England; concern with urban development, then, was not merely a product of economic circumstances in the Chesapeake but part of a larger English trend.23

However, beyond charting the rise of towns in England, historians have also demonstrated their changing relationship with the state. Phil Withington, Robert Tittler, David Harris Sacks, and Jonathan Barry have highlighted the way in which English cities expanded their political and commercial power between the mid-sixteenth and the mid-seventeenth century by extracting new charters for self-government, and they have shown that these new powers translated into increased civic consciousness amongst the population and a newly aggressive mercantile culture.24 During the latter half of the seventeenth century,

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this urban independence was gradually whittled away by the centralizing efforts of the English state. Cities had their charters recalled and redrafted, constraining their powers and bringing their economic capacity under royal control. Although Peter Borsay has argued that eighteenth-century English provincial towns experienced an “urban renaissance,” it was of a very distinct nature from the civic culture of the pre-Civil War era—it was characterized by the migration of rural gentry and officials into towns and the creation of polite, refined hubs that linked rural areas to the cosmopolitan culture and centralized state administration of London. Scholars working on the English Atlantic have noted the importance of these patterns in the founding or development of particular cities and towns, but even for more urbanized regions they have rarely demonstrated the breadth and significance of the town-building discourse for the emergence of political culture. The shifting meanings of the city and civic culture in England provided a vital context for understanding why Virginia and Maryland wrestled repeatedly with what kinds of towns they were attempting to establish.


Peter Borsay, The English Urban Renaissance: Culture and Society in the Provincial Town, 1660-1770 (Oxford, 1989); another manifestation of this new form of urbanity was the writing of urban histories, see Rosemary Sweet, The Writing of Urban Histories in Eighteenth-Century England (Oxford, 1997); for a partial critique of the urban renaissance idea see Carl Estabrook, Urban and Racist England: Cultural Ties and Social Spheres in the Province, 1660-1780 (Manchester, U.K., 1999).

These historiographical trends suggest that the century-long transatlantic debate over establishing, supporting, and governing urbanization in Virginia and Maryland needs to be considered from more than simply a financial perspective. Though most of the towns established never flourished into modern metropolises, at the time of their founding they held the potential to reshape the power structures in each colony or reorganize the spatial order of the emerging plantation-dominated landscape. In contemporary England provincial towns and cities were posing precisely this kind of challenge to the state. In this study I will explore the plans, assumptions, and controversies over town building in the plantation context in light of the larger questions that urbanization was asking about the power of merchants, the meaning of citizenship, and the role of the state in Europe. I will investigate the ties between the changing status of English towns and cities and the various arguments advanced in both Virginia and Maryland about the benefits and pitfalls of urbanization for the economic, social, and political order. Because of the complex connotations of the city in the early modern world, Chesapeake town-building schemes became a key arena in which colonists and officials could articulate different ideas about the balance of commercial and governmental authority among the provincial capitals, and the colonies' communities, and the offices in Whitehall. The recurring failure and discord in these debates thus played an important role in delimiting the spatial articulation of cultural, economic, and political power in the county courts and dispersed plantations of the eighteenth century.

2009); Mark Peterson, "Boston Pays Tribute: Autonomy and Empire in the Atlantic World, 1630-1714," in Shaping the Stuart World, 1603-1714: The Atlantic Connections, ed. Allan I. MacInnes and Arthur H. Williamson (Leiden, Neth., 2005); Emma Hart, Building Charleston: Town and Society in the Eighteenth-Century British Atlantic World (Charlottesville, Va., 2009), esp. chap. 1. Historians have recently begun to identify the influence of English political culture on the ideology of the Chesapeake's planter class, but despite the central role that incorporated towns and cities played in English political culture, they have almost completely neglected to consider the colonial urban plans. See Alexander Haskell, "The Affections of the People: Ideology and the Politics of State Building in Colonial Virginia, 1607-1734" (Ph.D. diss., Johns Hopkins University, 2004); Andrew Fitzmaurice, "The Civic Solution to the Crisis of English Colonization, 1609-1625," Historical Journal 42 (1999): 25-51; Peter Thompson, "The Thief, the Householder, and the Commons: Languages of Class in Seventeenth-Century Virginia," WMQ 3rd Ser. 63 (2006); Antoinette Sutto, "Built Upon Smoke: Politics and Political Culture in Maryland, 1630-1690" (Ph.D. diss., Princeton University, 2008).
Any investigation of these issues is inevitably hampered by the paucity of sources surviving for the seventeenth-century Chesapeake. Local records and private correspondence are thin on the ground, and because few of the towns prospered it was less vital to retain details of land surveys and sales. Archaeologists have done important work reconstructing the built environment of a number of sites, John Reps was able to compile a considerable collection of maps and plats for the proposed sites, and Joseph Thomas has demonstrated the potential of statistically analyzing what land records do survive for a number of Maryland towns. However, in searching for ever more precise details about what was sold and built, these scholars have paid little attention to the sources that can tell us most about the intentions and philosophical underpinnings of urbanization in the region, namely, the legislative records of both colonies’ provincial assemblies, the correspondence of their senior officials, and the reports on the issue in Whitehall. Detailed analysis of provincial government records has largely fallen to the foremost political historians of both colonies, Warren Billings and David Jordan, who have noted the role that town building played in the contests between English officials and provincial delegates but rarely explored the meaning of these debates. This study will analyze in detail the origin, consideration, and implementation of every urbanization scheme in the two colonies, following the proposals from the colonial capitals to London and out into the tidewater countryside. It will supplement official government records with close readings of pamphlets, private letters, and provincial maps and will use all of this information to reconstruct protourban

28 Reps, Tideater Towns; Thomas, “Settlement, Community, Economy.”
29 Although debates amongst provincial delegates and colonial leaders inevitably privilege the perspective of the elite, it is possible to note many occasions when these men received petitions from the local communities they represented, and a number of times when they adjusted their plans accordingly; studying these indirect influences of poor and middling colonists is not the ideal way to understand their cultural assumptions about urbanity, but I would argue that it is more revealing than simply relying on a quantitative analysis of their land purchases and probate records, which are the only direct evidence that most such men and women left.
in reconsidering these legislative battles and Atlantic debates over urbanization, it is important to ask certain analytical questions. Firstly, who advocated particular plans: English officials, tobacco merchants, an emerging colonial elite, or ordinary planters? By considering the petitions and letters that prompted urbanizing efforts in both colonies, it is possible to determine where the impetus was coming from at various moments, and studying the county records in some cases can reveal who actually managed the implementation of schemes or handed over their tobacco to buy lots. With the help of published biographical research for the region’s leading families and some additional investigation in English archives, it has also been possible to sketch out their preconceptions about urban culture in England.30 Secondly, when did Chesapeake planters and officials renew their interest in urbanization? The dates of the various town plans are obvious from the surviving records, but the larger question is how these urbanizing projects fit within the changing circumstances of the colonies. Did they arise at moments of particular political tension? Were they tied to the changing price of tobacco or the power of a particular merchant network, or directly to the changing role of the city in England? Thirdly, where did the various plans suggest that towns should be built? Contemporary opinion oft suggested that planters were only interested in towns near their own property, to reduce the potential inconvenience of shipping all their goods through the sites.31 In reality, although self-interest played a role, negotiations over the locations reflected

30 There are a huge number of genealogical and biographical publications for the colonial era in both Virginia and Maryland, but the easiest index to navigate Virginia sources is Earl G. Swem, Virginia Historical Index (Roanoke, Va., 1934-36); no similar index exists for Maryland, but an excellent source for the history of prominent families is Edward C. Papenfuse, Alan F. Day, David W. Jordan, and Gregory A. Siverson, eds., A Biographical Dictionary of the Maryland Legislature, 1635-1789, 2 vols. (Baltimore, 1979-85).
31 For example: A Letter from Mr John Clayton… to the Royal Society May 12, 1688, 11. in Peter Force, ed., Tracts and Other Papers Relating Principally to the Origin, Settlement, and Progress of the Colonies in North America (New York, 1836), 4: 11; “Robert Quarry to the Board of Trade, Aug. 4th 1703,” CO 5/1262, III, f. 156-57.
the roles the towns were intended to play and how their political and economic power was to relate to the counties that already divided up the region. Furthermore since scholars have noted that the patchwork of soil quality and landholdings meant that certain areas of the Chesapeake prospered while others stagnated, and it is vital to ask if towns were planned differently in particular parts of the region, reflecting their relative economic development. Finally, there is the question of how towns were to be founded. What incentives were used in the various proposals to encourage urban growth? These ranged from laws requiring all imports or exports to be shipped through the towns to provisions for the establishment of urban self-government. Also, how were public buildings, ceremonies, and sounds intended to delineate urban space? Each method of stimulating town development connoted particular kinds of urban power that would serve different interests in the Atlantic world.

Answering these questions ultimately helps to explain why various people in Virginia, Maryland, and London wanted to build towns and what purposes they felt that those towns would serve in the plantation economy and colonial polity. Placing the debates, official correspondence, and local activities in dialogue and tracing their chronological development makes clear that town building served multiple purposes and meant very different things to different members of the Atlantic community as their interests shifted through the century. This multiplicity of meaning illuminates why town building remained such a troublesome issue for both Virginia and Maryland throughout the seventeenth century as well as how it influenced the developing relationships among elites, common planters, and imperial officials in a society converting to plantation slavery and being bound into the English state.

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In order to demonstrate the evolution of the urban debate, this study will generally proceed in a chronological fashion through the developments of the seventeenth century, but with one vital exception. Because urban development posed such a serious challenge to the political order within colonial society, the debate inevitably differed considerably between Maryland and Virginia for as long as they conformed to different models of colonial government – Virginia became a royal colony in the 1620s, whereas Maryland was the personal proprietary domain of the Calvert family (the Lords Baltimore) until they were thrust from power in 1689. The answers to the key questions about who was proposing urban development and how, thus differed between the two colonies for much of the century. The first two sections of this study therefore trace the question of the city in each colony separately until the overthrow of Lord Baltimore, while the third draws the debate together in the post-1689 era when both colonies came under the influence of the same crown authority (and for a while, even the same appointed governor, Francis Nicholson). Scholars dealing with urbanization, and even those addressing the social and economic development of the region as a whole, have generally paid little attention to the distinctions between the colonies. This study will demonstrate that although the environmental and mercantile challenges of the two provinces’ tobacco agriculture and tidewater geography were broadly similar, and towns were thus retarded in both, their distinct political structures had a significant impact on how colonists negotiated them. Town building is an invaluable example of how a common Chesapeake problem could be debated and addressed in distinct ways in the region’s two constituent polities because of differing interpretations of English political culture. The inverse is also true: the fact that discussions of urbanization differed in important ways between the two colonies highlights the fact that these debates were weighed

33 For example, see Earle and Hoffman, “The Urban South;” Earle and Hoffman, “Staple Crops and Urban Development;”
down with political and social connotations and not merely about addressing structural economic problems.

Ultimately, however, Makemie’s 1705 pamphlet was addressed to both colonies. His concern was for the “ruining singularity” of the Chesapeake as a whole, and he saw the political, cultural, and economic ramifications of stunted urban development as essentially the same for Virginia and Maryland. His comment reminds us that the two colonies were both part of a larger Atlantic world and both linked to the English political culture that spanned that world but also that their complete lack of cities and towns and their widely scattered population made them a unique part of that world. Makemie also warned his fellow colonists that cohabitation in towns was a fundamental characteristic of all human society, and yet, as successive waves of scholarship on the early modern city have demonstrated, there was no straightforward answer to what a town was, how it was governed, and what powers it exercised over the surrounding countryside and the regional economy. As the nature of urbanity and the power of the state were shifting in this period, the spatial framework and political order of a plantation society were also being coalescing across the Chesapeake landscape. Because that landscape and its main crop were not conducive to restricting trade and naturally promoting urbanization, colonists and officials throughout the region’s maturation returned repeatedly to the question of stimulating towns and wrestled with what kinds of towns might best serve their interests. It was only when a fully fledged system of large plantations and slave labour was securely under the control of colonial elites who were reconciled to the English imperial mercantile system, that the dramatic potential of town founding was laid aside. Though their transatlantic debates did not spawn a network of cities, they did leave an indelible mark on the political culture of these plantation colonies.
Part One

Civic Ideas in Seventeenth-Century Virginia

A flimsy flotilla of two makeshift ships floated into the James River in the spring of 1610. On board were the survivors of the Sea Venture, including Virginia’s new lieutenant governor, Thomas Gates, who had set out for the colony the previous year but had wrecked on the island of Bermuda. Having endured a torrid and contentious stay on that rocky mid-Atlantic outcrop, they were eagerly anticipating landfall at Jamestown, the brave beachhead of the young colony. What they found is now infamous. The winter that had just thawed had brought sickness, starvation, and death; less than half the settlers remained to recount what became known as the “Starving Time.” Confronted with what one contemporary rather laconically termed a “strange and unexpected condition,” the new arrivals were aghast. What they witnessed as they made landfall at Jamestown was seared onto their memories and later recounted in pamphlets and treatises that have made the grim picture famous; the surviving colonists looked like animated cadavers and had been forced to eat “vermine,” boot leather, and even exhumed human corpses. Jamestown met none of the civic standards of a city.1

These horrific accounts represented a clear inversion of all the expectations of personal civility that English colonists had hoped to bring to the New World.2 But for contemporary commentators, the sickening degradation afflicting human body and soul was only part of the problem; they subsequently spilt as much ink evoking the skeletal remains of Jamestown itself as they did the people who wandered its streets. Witness William Strachey

noted the “emptie houses” that had been “rent up and burnt,” and the fortress gates – liberated from their hinges – stood propped up against the partially dismantled palisade. Virginia had been founded as an enterprise of urban merchants and speculators who, as early-seventeenth-century citizens, located civil discourse in the buildings, streets, and civic spaces of a town. The Virginia Company had given strict instructions that the colony’s new town should be laid out in orderly fashion around a market square and had repeated these provisions to Gates before he set out on his ill-fated voyage.3

The story of colonist Hugh Pryse provides the perfect example of how urban civility was tied to urban spaces. Driven to madness by privation, Pryse invaded the marketplace – Jamestown’s central civic space – to proclaim atheistic sentiments and then quickly met what was considered a deserved end from the sting of an Indian bow. Early seventeenth century civility was grounded in the polite conversation of public spaces but, surrounded by derelict houses, Jamestown’s market square had not been able to police Pryse’s outburst, and it was, ironically, “savage” justice that ended his sacrilege. Whether they were praising or maligning Jamestown, writers focused not simply on private buildings but on how those buildings were laid out to craft streets or marketplaces as communal locales.

On these civic spaces rested not only the social health of the colony, but also its economic well-being. William Strachey noted how the colonists’ woes had resulted from private interest trumping the public good, particularly when ship captains’ manipulated the market in provisions. In any English borough such transactions would have been strictly governed by the corporate authorities in the formal marketplace, but Jamestown was lacking

3 Samuel Purchas, Hakluytus Posthumus or Purchas His Pilgrimes..., 20 vols. (Glasgow, 1906-1908), 19: 44-45. Scholarship has cast doubt on the claims about starvation and cannibalism at Jamestown, suggesting they may have been constructed to conform to English ideas about incivility. The same pattern can be observed in the comments about the built environment, regardless of its true physical condition upon Gates’ arrived, see Rachel B. Herrmann, “The “tragicall historie”: Cannibalism and Abundance in Colonial Jamestown,” WMQ 3rd Ser., 68 (2011): 47-74; Michael A. LaCombe, “A continual and daily Table for Gentlemen of fashion”: Humanism, Food, and Authority at Jamestown, 1607–1609,” AJHR 115 (2010): 669-687.
this crucial institution. The lack of urban civic space meant that the "privie factionaries" who had misgoverned the colony, could eschew the public oversight of a concerned citizenry, and seek out "darknesse, to wipe away or cover their ignoble and irreligious practices." In the comfort of secrecy, ill-governed men could engage in sloth, idleness, and corrupt dealing, abandoning the common good. Thus, in multiple ways the human frailties on view at Jamestown were merely a symptom of a broader lack of order and civility within the settlement's governance, which was tightly bound up with Jamestown's physical decay. 4

Nonetheless, the bundles of sticks and teetering shacks that passed for Jamestown still held powerful meaning. A final episode in this sorry chapter of Jamestown's history underscores this point. After spending some days surveying the remnants of the once-hopeful town, Governor Gates made the decision to abandon the settlement and transport the sickly stragglers to safety. This news sparked "a generall acclamation, and shoute of joy," but actually leaving the town proved more contentious. Some of the men who had endured such hardship at Jamestown were "intemperate and malicious" advocates of putting the whole place to the torch. When Gates discovered the plan, he reminded them that they knew "nott butt thatt as honnest men as ourselves may come and inhabitt here." He remained concerned about the success of his entreaties, though, because he made sure that he personally was the last man to board the departing convoy. 5 Likely Gates still harboured hopes of the Virginia Company re-establishing the town or even of his intercepting a resupply ship during his departure (as in fact he did). 6 However, given the ruinous state of the buildings, so assiduously chronicled by Gates's colleagues, Jamestown was hardly prime

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5 Percy, "Trewe Relacyon," 269-70; Purchas, Hakleyus Posthumus, 19: 54; A True Declaration, 18.
6 Horn, A Land As God Made It, 160, 276 n. 23.
real estate. In addition, the instructions he had received many months before in England had advised him to relocate his “situacion or city, because the place is unwholesome and but in the marish of Virginia.” Gates’s carefully choreographed departure from the town was therefore probably as much about the complex patchwork of meaning and memories as it was about company policy. Firing the town, for those who advocated it, represented a chance to expunge the memory of the place and take revenge on the physical structures that had defined their deprivation, but to Gates it threatened to incriminate in yet another act of barbarism and incivility. The ruins of Jamestown survived unscathed and were quickly rehumanized, but for the next ninety years appreciation of what became Virginia’s “most ancient” town would be mixed with threats of arson and abandonment. 8

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The story of Gates’s arrival at Jamestown and desperate efforts to save it from burning is a fitting place to begin a study of urban ideals in the colonial Chesapeake. Of course, by 1610 colonial projectors and company planners had already debated at length about the settlement they envisioned for Virginia; in their original instructions, they had advised settlers to build a town with “your houses Even and by a line that Your Streets may have a Good breadth & be carried Square about your market place” because in a new town “order is at the same price with Confusion.” 9 But Gates’s experience foregrounds the dramatic divergence between this ideal and the reality, which would characterize the region’s town-building enterprises for more than a century. It serves as a stark reminder of the stakes involved in the pursuit of urbanity. When some commentators described Jamestown or other nascent

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9 Instructions to Governor Thomas Calpeper, 6th Dec. 1679, in CO 5/1355, p. 345-47.
towns as “handsome” and ornamented, or derided them as desolate, it was far more than an aesthetics judgement. Town building was fundamental to the political and economic vision of early colonial planners, and would remain so for many decades. Urban spaces were also powerful containers of memory in early modern England; street layouts and civic spaces offered a level of permanence that transcended the demolition or destruction of individual buildings, and corporate institutions with their ceremonies and offices provided a richer collective memory than rural parish residents could generate.

In the years following the Reformation in England, royal incorporated boroughs had been steadily rising in numbers and accruing power, property, and rights. They had become a seedbed for civic humanism. When Elizabethan courtier Sir Thomas Smith surveyed the emerging English state in his De republica Anglorum, he judged that citizens – the enfranchised residents of the kingdom’s boroughs – were a vital and substantial social category, second only to gentlemen. Urban corporations were therefore vital cogs in the political economy of England; they represented part of a patchwork of local government structures that made up the commonwealth, and the idea of a colonial venture without such institutions was unthinkable. It helped, also, that urban citizens were gaining prominence economically. Their mercantile endeavours were being transformed as English trade shifted to a focus on exotic imports, and they became adept at utilising the establishment of joint-stock companies to exploit these opportunities. The Virginia Company of London, first chartered in 1606, was

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one of a growing number of such enterprises. Although it boasted considerable noble and
gentry support, it was fundamentally drawing upon the impetus of the citizens, guilds, and
the corporations of London and other English boroughs.\textsuperscript{13} Virginia was thus born with a
civic political culture. The borough was to be a key part of the governmental superstructure.

There is nothing new in simply suggesting that towns were viewed as fundamental to
the process of colonial development. It has become a commonplace of scholarship that
urbanity bred civility in early modern English parlance.\textsuperscript{14} But because we have ignored
precisely how this process worked in the minds of Virginia colonists, conventional historical
account merely view it as a hopeless dream. They note that colonists had been lured to
Virginia with the promise of generous land grants and were more eager to seat their land
than develop towns. This preference, coupled with the agricultural constraints of tobacco
and the unhealthy environment of Jamestown, meant that urbanity was not to be. Once
freed from the idealistic shackles of the Virginia Company, settlers were quick to abandon
towns and embrace the rural county structure of governance that remains the bedrock of the
region to this day. Given this historiographical consensus, scholars who approach the town-
building efforts of the later seventeenth century tend to dismiss them as short-sighted
economic panaceas or unrealistic flights of fancy.\textsuperscript{15} The image of the isolated Chesapeake
planter has only been underscored by comparisons with the nucleated puritan towns of New
England, particularly salient to social historians who migrated to the Chesapeake from
previous town studies. The result is a strangely bifurcated understanding of Virginia’s

\textsuperscript{13} For the capital involved in the Virginia Company see ibid., 107-111; Bob Gibson, “Investors in the Virginia
Company” in \textit{Virginia Company Archives}, (2007) online at http://www.virginiacompanyarchives.amdigital.co.uk
\textsuperscript{14} Carville Earle and Ronald Hoffman, “The Urban South: The First Two Centuries,” in \textit{The City in Southern
History: The Growth of Urban Civilization in the South}, ed. Blaine A. Brownell and David R. Goldfield (Port
\textsuperscript{15} John Rainbolt, \textit{From Persuasion to Persuasion: Manipulation of the Eighteenth-Century Virginia Economy} (Port
Washington, N.Y., 1974) passim.; Earle and Hoffman, “The Urban South”; Ron Hoffman and Carville Earle,
political culture—the grand transatlantic political questions of parliamentary government and colonial rights have been divorced from what social historians have portrayed as the slow and organic evolution of local government, about which no one in London supposedly cared.\textsuperscript{16} If we go beyond the basic assumption that towns represented civility and commerce, we will be better able to understand how the structures of local government that were developing in seventeenth-century Virginia reflected colonists' wider understanding of the commonwealth and its place in the English Atlantic Empire.

It is indisputable that towns did not flourish in the Virginia tidewater in the early seventeenth century. Yet we should not be so quick to dismiss the colony’s urban dreamers and the political assumptions that underwrote their plans. For many years colonists, officials, and ambitious projectors in England groped and fumbled for a system of local and provincial government that fit the environment, settlement patterns, and expectations of all concerned. The hope of urban development never disappeared during these years, and Virginia became a laboratory for testing different urban forms and political structures that emerged from English debates over civic power and independence. The degree of liberty and autonomy that urbanity promised in Virginia thus varied. Incorporated boroughs did gradually give way to rural counties, but the process was far from smooth and steady.

These chapters will trace the faltering steps to define local government in the colony and to define colonists as gentlemen and yeomen rather than citizens and journeymen. They will pay particular attention to the sporadic outbursts that hint at a simmering discontent beneath the surface of this process. Chapter 1 will examine why incorporated boroughs were

the first choice of Virginia's early visionaries and why colonists became increasingly unhappy with this arrangement in light of merchant activities in both the Chesapeake Bay and the streets of London. Because of these disputes on both sides of the Atlantic during the years of Civil War and Interregnum, the Restoration vision of city building was distinctly different, and chapter 2 explores this plan and the opposition it faced from Nathaniel Bacon's uprising. Chapter 3 will conclude this section by exploring the sudden surge in urban development efforts in the colony during the 1680s - primarily the result of diverging political and economic interests within the English empire. It will uncover how this resulted in a complicated transatlantic fight resurrecting many of the alternative urban definitions and civic identities, at precisely the same time that they were being violently reassessed in England. Throughout the seventeenth century Virginians continued to wrestle with essentially the same problems of urban development and civil government that had plagued Thomas Gates. Like the earliest settlers, they continued to look to England for the principals of civic and corporate government to control trade, church, and state. But they were perpetually frustrated because with England itself in turmoil about these questions, civic ideas became a topic for transatlantic debate.
Chapter One

From Town to County:
Testing Civic Ideals, 1607-1659

In 1662 Governor Sir William Berkeley became the latest colonial leader to take up the challenge of urbanising Virginia. The centrepiece of his new plan was the construction of 32 brick houses at Jamestown, and to spread out the cost of this mammoth building project, it was decided that “each of the several seaventeen countyes [would] build one house.” The symbolic significance of such a provision will be considered more thoroughly in the next chapter, but for the moment it is sufficient to note that Virginia’s new capital city was to be a product of its shires. This was quite a reversal. The initial plan for the colony called for Jamestown to be the seat of government and the centre of all administration, and even when the colonists began scatter themselves along the James River like driftwood on the tide, local authority was to be devolved onto four main borough corporations. Each corporation was to have its own hinterland, administered by the city’s magistrates and officers. The remains of this four-borough system are fossilised in the names of the some of the counties that Berkeley called upon to contribute to the Jamestown rebuilding effort – Charles City, Elizabeth City, Henrico, and of course James City County itself – but the balance of local authority had definitively shifted since those initial urban plans. James City County was now being called upon to assist in the renovation of the very city that had given it its name.¹

The object of this chapter is to reveal why the politics of Virginia’s local government changed so much in the fifty years before Berkeley’s new plans. The intervening period had seen a tobacco boom and the overspill of English settlement from the James River into the York, Rappahannock, and Potomac rivers as well as the Eastern Shore. Settlers, freed from

the fear of Indian raids, had scattered themselves on large private estates along the major river arteries. But these developments alone do not explain why ideas of urban form and function should have changed so dramatically. The answer lies in how settlement patterns and forms of local government affected the shifting balance of power within the colony — between royal governors, English merchants, and planters large and small — during these formative years. As we shall see, Virginia planters did not simply drop the idea of urban government when the Virginia Company was discredited, only to pick it up again in the 1660s, once their county structure was established. Through a series of tense political episodes, interested parties advanced different plans for urban and rural local government that suited their own visions of order — plans in which the possibility of becoming part of, or directly patronising, a corporate urban community was always under debate.

After disastrous early efforts to establish Jamestown as a trading post, the Virginia Company proposed a new network of urban corporations for the colony with the hope of establishing the kind of economic oversight, civic ownership, and unity that they believed the colony had lacked thus far. When the crown took control of the colony, royal advisors debated a more rural structure that befitted their concerns with land tenure, agriculture, and the irritable state of England's boroughs in the later 1620s. Ultimately, royal authorities in the colony came to see urban development at Jamestown and the creation of an artisan community in the town under the direct patronage of royal officials as useful safeguards against the aggressive mercantile activities of London merchants. When Parliamentary forces prevailed in England, though, interloping merchants once again reframed the commercial and political plan for the colony by proposing dispersed corporate colonial towns that appeared to offer the best means to manipulate Virginia trade and government. The efforts of leading royalists to strength the county structure and cultivate Dutch trading connections
during the 1650s was a direct response to this new corporate threat. Thus, when Berkeley returned to the governorship at the Restoration, he confronted a colony that had adapted a county structure to fulfil many of the traditional responsibilities of a corporate borough. Virginia, conditioned by both the transatlantic politics of civic corporations and the realities of a Chesapeake region financially trapped in tobacco monoculture, had gone from town to county. But—as would be the case for the rest of the century—the very fact that Chesapeake towns persisted on a thin tissue of economic viability meant that they could always be rethought, replanned, and reclaimed by those with different political objectives.

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Before considering the Virginia Company’s urban plans in detail, it will be helpful to discuss briefly the different urban milieus that English colonial planners were exposed to. The company ordered the initial settlers to plan and build a town because early-seventeenth-century projectors had no experience of rural colonisation. Everywhere English planners looked for inspiration they found important reasons for dense settlement patterns and urban foundations—namely, trade, defence, order, and civility.

It is well known that England was a late bloomer on the Atlantic imperial stage. For more than half a century before the establishment of Jamestown, the English had been nibbling speculatively at the edges of the massive Spanish empire in South and Central America. Rivalling or neutralising Spanish imperial power was high on the list of motivations for English colonization, and some of the country’s privateers saw Jamestown as a potential safe harbour from which to launch attacks on Spanish shipping. It should come as no surprise, then, that the Virginia Company was well aware of its national rival’s settlement patterns and colonial governance. English colonial boosters such as the Robert Rich, 2nd Earl
of Warwick had obtained a good understanding of Spanish colonial towns, often in the
process of looting them.  

English planners assumed that they would mimic Spanish towns because they envisione
an economic structure that would replicate the success of their rivals further south. Exploit
local resources (ideally precious metals), utilising densely settled, organized, but tractable Indian labour, and channelling the profits through fortified urban ports was considered the recipe for financial success in the New World at the turn of the seventeenth century. A compact resource-mining centre was certainly one of the dreams for Jamestown. John Smith infamously lambasted colonists for hopelessly seeking gold when they could have been planting corn to see them through the winter. Archaeologists have also discovered clear evidence of colonists smelting ores in a search for valuable metal alloys such as brass – an enterprise that, while perhaps less foolhardy, still reflected an urban-industrial vision.

Even if mines were not readily available, there was also the option of establishing a lucrative trade with native peoples, based at a mercantile urban hub. The viability of this plan was on view throughout the Portuguese trading posts in the East Indies, and the English and Dutch were also increasing their presence in this eastward trade using the same strategies. It is significant that the marketplace was one of the two civic spaces (the other being the church) that Virginia Company instructions insisted upon. Initially, all food and supplies were to be organised and rationed by the colony’s leaders, and so a central marketplace was clearly not for exchanging the necessities of daily life; it reflected the civic importance of a

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communal urban space, but it also suggested the intention of organising a profitable bazaar
to which native peoples would bring exotic commodities for barter.  

Unfortunately for the investors and adventurers of the early Chesapeake, its dense
alluvial soil did not conceal any buried treasures, and the native population did not have the
easily exploitable riches that Cortes had found in Mexico. However, it is a mistake to suggest
that once colonists resigned themselves to “manuring” the land for its bounty they
immediately dispensed with the nicety of towns and cities. Spain’s New World cities all had
agricultural hinterlands over which they exerted administrative control. By the time Virginia’s
four urban boroughs were designated in 1618, the tobacco boom was already beginning and
the necessity of agriculture was firmly understood. Incorporated towns were allotted bundles
of agricultural land. It is therefore necessary to reach beyond mercantile explanations to
understand Virginia’s urban origins.  

Competition with the Spanish empire was not simply about organising a settlement
system designed to amass the largest chest of gold coins. English antipathy to Spain was
rooted in the two kingdoms’ confessional differences, and the colonial venture in Virginia
was at least partly about securing a corner of the New World for Protestant society. But
because both cultures shared the European Renaissance faith in urban forms and functions,
the cities of the Hispanic Catholic Empire in the Americas would have to be at least
matched, if not outshone, in order to prove the superiority of Protestantism. Images of
Spain’s New World cities, which reflected their political and social order, had already begun
to appear in print for European audiences. These maps and images emphasized urban grid

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6 James Horn, A Land As God Made It: Jamestown and the Birth of America (New York, 2005), 125.
plans and drew attention to central plazas and marketplaces. They showed even the most virulent Protestants in Europe that a Catholic monarch was bringing urban civility and Christianity to the wilderness. So when the Virginia Company began to lay out Jamestown, the stakes were high in the imperial battle between Catholic and Protestant civility in the New World. Ralph Hamor, a Virginia colonist who wrote a glowing commendation of the colony in 1615, was clearly influenced by this concern with urban appearance. He promised that any new immigrants “shall finde a hansome howse of some foure rooms or more,” with a healthy portion of fenced ground as a garden. More importantly, he dwelt on Governor Thomas Gates’s new urban foundation at Henrico, explaining that, true to civic virtue and the public good, Gates had laboured tirelessly on the project “without respect to his owne health or particular welfare” and completed it before any private homes were constructed. The result was “3 streets of well framed howses, a hansom Church, and the foundation of a more stately one laid, of Brick, in length, an hundred foote, and fifty foot wide, beside Store houses, watch houses, and such like.” Hamor’s description was graphic and pictorial. It was designed as an early counterblast against the woodcuts of cities such as Santo Domingo that were circulating in Europe. English readers of Hamor should rest assured that Spanish spies making observations on this new urban community would not mistake it for a disorganised rabble, as they had in fact done in the earliest years of the colony. These comparisons continued through at least the first three decades of English settlement in Virginia. In fact, they became more explicit. In 1622 the Company wrote to demand urban

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7 Although the Spanish monarchs were extremely reluctant to allow images of their imperial cities to circulate in print for fear of attack, stylised and oft-copied engravings were multiplying rapidly at the turn of the seventeenth century, largely in the hands of Dutch printers and cartographers. Kagan, Urban Images, chap. 4.
8 James Horn suggests that the primary inspiration behind grid-planned towns with central marketplaces in both Virginia and Ireland can be found in Spanish New World urban designs (Horn, A Land As God Made It, 268 n. 18).
10 For reproductions of these widely circulated woodcuts, see Kagan, Urban Images, 72, 84, 92.
settlement, referencing the “the example of the Spaniards in the West Indies.” Then, responding to aspersions cast upon the quality of Virginia’s urban environment by Nathaniel Butler, the colony’s assembly in 1624 argued that Jamestown fared well because “If we may give Credit to those, who are accounted the most faithful Relaters of the West-Indies, many Cities of great Rumour there, after threescore Years Progress, are not to be compared in their Buildings to ours.” Jamestown was carefully crafted, then, to compete as much with the circulation of Hispanic cities’ “great rumour” as with the circulation of their gold doubloons.12

If the English found motive and inspiration in the Hispanic world, their firsthand experience of town building came much closer to home. Just as the Virginia Company was drafting plans for the voyage to America, English courtiers were reinvigorating their efforts to conquer and “civilize” their near Irish neighbours to the west; within a few short months plans were afoot for comprehensive colonisation of large parts of Ireland, London’s craft guilds and livery companies were drafted in to assist, and towns became a central plank in the construction of a newly envisioned Anglo-Irish commonwealth.13

The brunt of England’s colonising zeal in early-seventeenth-century Ireland fell upon the province of Ulster, where twenty-five incorporated boroughs were proposed and the London companies took responsibility for two major new ports, Coleraine and Londonderry. The sites were envisioned as trading and industrial centres to be developed by speculative investment from England, and in many respects this was akin to the early fumbling efforts at Jamestown. In 1621 the Virginia Company even nudged the corporation of London to settle and develop the landholdings the city was entitled to in Virginia,

“haveinge allredie done the like in Ireland with verie good Successe.” However, Ulster’s proximity to the English economy, coupled with the much higher migration rates and at least some preexisting trade networks, meant that these Irish experiments were destined to have the upper hand over Jamestown economically and demographically in the early decades of colonization.\textsuperscript{15}

If Irish experience in the sixteenth century had taught the English anything about colonization, though, it was how dangerous it could be. Larger armies than were ever sent to Virginia had been embarrassingly tripped up in Ireland on more than one occasion, and fortification efforts were ongoing. The value of compact urban settlement for the purpose of defence was therefore all too apparent.\textsuperscript{16} Such concerns were evident from the very start in Virginia, when the company’s instructions that the site of Jamestown be selected for the purposes of defence infamously resulted in the decision to settle on an unhealthy low-lying island. Pamphleteers also made much of the defensive works erected at the new settlement of Henricus in 1611.\textsuperscript{17} The strict military rules known as the \textit{Laws Divine, Morall and Martiall} came into effect in Virginia that same year and lasted for half a decade, and it was under this system that urbanisation and defence in the colony were most synonymous. The laws emphasized the duality of the colony’s settlements by describing them as “towne or fort” on most occasions and appointing “Governors or Colonels” to hold absolute authority in them.

\textsuperscript{14} Kingsbury, \textit{Records}, 1: 489.
\textsuperscript{16} Francis Bacon made this defensive urbanisation a point of particular emphasis in his comments on the colonial plans for Ireland, see John Reps, \textit{Tidewater Towns: City Planning in Colonial Virginia and Maryland} (Williamsburg, Va., 1972), 11-13; Nicholas Canny, \textit{The Elizabethan Conquest of Ireland: A Pattern Established, 1563-76} (New York, 1976), chaps. 2 & 7.
\textsuperscript{17} Virginia Company, “Instructions given by way of Advice,” 50, \textit{The New Life of Virginia: Declaring the former success and present estate of that plantation, Being the Second part of Nova Britannia} (1612), in \textit{Tracts}, vol. 1, no. 7, 13; Hamor, \textit{A True Discourse}, 29.
All colonists were to reside in the fortified area; the gates were to be strictly guarded so that colonists could not leave to tend their farm plots each morning until "certaine Serjeants" had been sent "to discover forth right, and vpon each side, as farre as the limmits of that fort are prescribed." Even after military rule in Virginia was discredited, the safety offered by urban settlement was still a major part of its appeal. When hundreds of colonists were killed by the Powhatan confederacy in 1622, Company officials in London asked serious questions about the way colonists had spread out and occupied isolated plantations over the previous half-dozen years. Although they blamed each other, both officials and Virginia councillors claimed that greater urbanisation could have prevented the tragedy. Indian threats diminished as the century progressed, but the fear of attacks from rival Europeans only heightened, and defence was sporadically cited as a primary motive for encouraging Virginia town building (especially during times of European war). As practically no English towns were fortified, but Irish boroughs were built to face continued military conflict through the seventeenth century, it seems fair to conclude that the crenulated Irish town framed the concept of the defensible city in the Anglo-Atlantic.

Although the new towns of English Ireland boasted fortifications to keep out rebellious armies, they were supposed to be porous enough to allow civil culture to filter outward into the Irish countryside. Crown officials often cited a lack of urbanisation as one of the great shortcomings of the Irish Gaelic community and a root of its incivility and disordered government. Concerted Irish attacks on the English mercantile presence in Irish

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13 The laws were a reaction against the internal dissension within the colony and external threat of Indian attacks that had precipitated the horrific Starving Time. "For The Colony in Virginia Britannia. Lawes Duane, Morall and Martall, &c.," in Force, Treats, vol. 3, no. 2, 32, 39.
ports during the Elizabethan period had also done little to convince thinkers and officials in London that the Irish were predisposed to urban life. As a result, town building became part of an effort to wean Ireland from its scattered pastoral structure through regularised compact settlements. Bandonbridge in Munster became the first English imperial town established on a strict grid pattern, and Londonderry and Coleraine were also designed in a manner reminiscent of the orderly instructions sent with the first Virginia colonists, complete with central square marketplaces and straight streets.

However, it is important not to overdraw the evident comparisons between England’s main two colonial arenas and assume that lessons learnt in Ulster were being directly applied to the Chesapeake. In the first place, the Ulster urban project was only one part of a multifaceted effort to settle Ireland, which also included hefty rural estates and systems of tenancy. As a result the young towns were not often called upon to bear the full weight of administration and, even when they were, they were often under the direction of members of the newly created English landowning elite. These towns, placed in a relatively well known environment, as part of a general integration of Ireland into the English state, were a different endeavour than building a company colony around a series of incorporated cities and their common land. Secondly, although the Irish and the Powhatans shared many marks of “incivility,” the importance of town building in their respective reformations was very different. Few Englishmen in early Virginia disputed that the local Indians lived in towns; it was, in fact, one of the great points in their favour when planners waxed eloquent

about how easy their transition to civility would be.\(^\text{24}\) Although during some moments of peace in Virginia there may have been pretensions toward bringing Indians into English towns, the primary concern in organising Jamestown lay with safeguarding the governance and order of colonists being sent out into the wilderness; if Indians were brought to civility in other ways (primarily conversion to Christianity), their existing towns might be adjusted accordingly.\(^\text{25}\) Tenancy and towns in Ireland were part of an effort to shift the Gaelic population from a predominantly pastoral agriculture to a settled arable system, and by some accounts the towns appear to have attracted a sizable number of converts to urbanism.\(^\text{26}\) Ireland was clearly, therefore, an important and contrasting zone of English imperial urban development, but we should not assume, just because small cities such as Londonderry and Coleraine grew with slightly more vigour than Jamestown, that they became the sole role models or the overachieving older siblings of Virginia's struggling capital city. Both urban arenas of empire drew from a common well of English experience in slightly different ways. James I already had hundreds of incorporated towns and cities within his realm before the settlement of Ulster or Virginia, and they were experiencing an urban political renaissance founded upon much more ancient precedents.

Most of the men who formulated Virginia policy in this period were first exposed to colonies not through arduous sea crossings or mercantile account books but from the


\(^{25}\) The structure of Ralph Hamor's pamphlet, *A True Discourse of the Present State of Virginia* (1615), does imply that there is a connection between English town development and the peaceful conversion of native people, but equally he notes that Gates' peace treaty with Powhatan explicitly insisted that the Indians stay away from English towns (see Hamor, *A True Discourse*, 13-18). At no point in the so-called "Greate Charter" that established Virginia's corporate towns did they imply a path to citizenship for the local native population. See Kingsbury, *Records*, 3: 98-109, 470. In a number of cases, English settlements were established atop Indian towns, but the local population had been wiped out or had fled (see Horn, *A Land As God Made It*, 165-66, 185-86). The only extant plan for the colony that implies the eventual incorporation of Indian towns was developed by John Maron in response to the crisis of the early 1620s. See Kingsbury, *Records*, 3: 707-10.

voluminous tomes they poured over in grammar school or university. The classical works that had been rediscovered in the Renaissance were now the core texts of a humanistic education in England, and they spoke at length about the colonial projects of both Roman and Greek civilization, which were first and foremost urban endeavours, replicating the city-states that planted them and controlling their surroundings from a closed fortified position. The wealth of comparisons Englishmen in Virginia saw between classical efforts and their own led them to prioritize compact urban settlement. One of the lengthiest allusions came in the Virginia Company's 1610 promotional tract, *A True Declaration of the Estate of the Colonie in Virginia*. Faced with having to explain the well-publicised failures of the early settlement period, they highlighted poor leadership and self-interest that worked against the common good; they then reminded well-educated readers that:

> Tacitus hath observed, that when Nero sent his old trained soouldiers to Tarantum and Autium, (but without their Captains and Centurians) that they rather made a number, then a Colony: euery soouldier secretly glided into some neighbour Province, and forsook their appointed places: which hatched this consequent mischeife; the Cities were vunihabited, and the emperor was frustrated.27

The implication was clearly that colonies must be civic communities where men pursued the common good, and that such places were inevitably populous cities. John Smith and Edward Maria Wingfield both made similar observations, pointing instead to the internecine conflict between Romulus and Remus that plagued the mythical foundation of Rome. Wingfield went even further and likened the disputes at Jamestown to "that venom in the mutinous brood of Cadmus," referencing the tumultuous foundation of the Greek city of Thebes.28

These classical urban allusions were not merely ornaments of scholarship. They were proof-texts justifying a particular kind of civic urban community that was being pursued in both the New World and the Old. Andrew Fitzmaurice has demonstrated that early Virginia colonisation was marked by a strain of civic humanist thought then popular in England, inspired by classical examples and the experience of contemporary Italian city-states. Many post-1609 promotional pamphlets were dominated by themes of virtue, honesty, and industry in the pursuit of the common good of what was increasingly seen as a new commonwealth in Virginia.29 Classical learning taught that these personality traits were best sustained within an urban environment. Aristotle’s view of the *polis* as a human community associated together “in a good life, for the sake of attaining a perfect and self-sufficient existence” was the bedrock of this understanding. Citizens bound together by a dense web of rights and responsibilities – the *civitas* - could attain the much-coveted virtue that was necessary to form *res publica* – the common good or commonwealth. This classical formulation was only accentuated by St. Augustine’s translation of it into the realm of Christian virtue in *The City of God*.30 The ideas were reworked countless times by Renaissance scholars such as Giovanni Botero, Jean Bodin, and, in the English context, most famously by Thomas More’s vision of the capital city of Amaurot in his *Utopia*. They were hugely influential across Europe, particularly in the Italian city-states that sought to resurrect the classical republican politics of Rome.31 Phil Withington has recently demonstrated that their impact was also significant in the towns and cities of England; although these cities could

30 A copy of St. Augustine’s *The City of God* was amongst the books donated to the Virginia Company for the use of a proposed college in the colony during the early 1620s. See Kingsbury, *Records*, 1: 421.
not aspire after the independent political power of Venice or Florence, they did become
great practical laboratories of commonwealth principles, emphasizing the importance of
civitas and demonstrating it in their corporate institutions, their religious and ceremonial life,

It was inevitable that these principles would influence New World settlement, and
the fact that classical texts so frequently also referenced colonisation made the connection
that much more obvious. Spain and England’s shared stake in these ideas heightened the
competition involved in founding Jamestown. With this in mind, it is also possible to look
back at the Virginia Company’s classical exemplar of Nero. The renowned tyrannical
emperor had deviated from the ideal course of Roman colonialism by failing to send the
right leaders, capable of holding the masses to virtue and the common good; without this
commitment – the creation of civitas – the new cities could not be inhabited and the whole
colonial venture fell apart. Virginia planners, therefore, did not simply advocate urban
development to ape their classical heroes. Cities and towns were an essential ingredient in
building a commonwealth in the New World.\footnote{Barry Levy has recently argued that civic humanism was largely the preserve of radical puritans in English towns and villages, and that it was translated directly to New England to form the basis of Massachusetts’s distinct town structure. In fact, the imperatives driving Virginia policies and reforms before the mid-1620s were also shaped by a rich tradition of civic humanism grounded in corporate ideals, albeit one with a slightly less radical religious edge. See Barry Levy, \textit{Town Born: The Political Economy of New England from Its Founding to the Revolution} (Philadelphia, Penn., 2009), chap. 1.}

Huddled around a table in a smoky London chamber in 1606, the founding members
of the Virginia Company, collectively dreaming of the New World, anchored those fantasies
on one particular urban space that was to be constructed in a defensible location up a
northwesterly tending river. By now it should be clear that the foundations of these urban
dreams were not a straightforward effort to copy any particular precedent. They were drawn
from a wealth of assumptions about the economic, military, and political necessity of towns and cities. All of the logic of early modern English society suggested that urbanity would be vital. The following century would gradually disprove some of these notions: the dispersed tobacco economy would quickly militate against the mercantile necessity of towns, and urban development would become entwined with the question of diversification away from the deprecating weed. After 1622 the military threats to Virginia, whilst still troublesome, became sporadic, and so the need for tightly packed settlements for defensive reasons was raised only fitfully. But, as Alexander Haskell has suggested, the question of whether Virginia was a healthy commonwealth persisted throughout the seventeenth century. In this context the idea of town as *civitas* — as more than a collection of storehouses encircled by a sturdy palisade — was vital to the political self-definition of the colony. This interest in the *res publica* town, beginning with the reorganisation of the Virginia Company and the so-called “greate Charter” of 1618, will be the focus of the rest of this chapter.

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Assessing the early years of disease and deprivation, officials reached the grim conclusion that Jamestown was an unhealthy and unpromising place for Virginia’s main city, but this realisation did not dampen their resolve to found a colony predicated upon urban development. In 1609 they dispatched instructions to found a new city upriver from Jamestown and they published a new pamphlet in London emphasizing that their ultimate goal was not solely the current ill-fated site but the establishment of six or seven “capitall townes, twenty myles each from other... [that] shall all endevour for a joint stocke.” It was in response to this vision that Ralph Hamor wrote so hopefully of the “hansome” towns that had been established. However, while these urban developments were putting down a few

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shallow roots in Virginia soil, another far more lasting crop was established: the colonists finally identified tobacco as a suitable crop with significant European demand. By 1616 prodigious quantities were in production. The perfecting of the profitable weed was a godsend for the Virginia Company, which was running troublingly short of financial reserves. Company officials were now able to distribute land in lieu of financial payouts, which, with the prospect of a lucrative cash crop to plant, promised the added advantage of stimulating a healthy emigration rate to the colony. These private plantations would come to play a major role in Virginia’s demographic and geographic expansion during the next decade, but the news was not all positive. Tobacco, despite its popularity, had a decidedly bad reputation in English society and, far more troublingly, the boom risked pulling Virginia away from the urban form and balanced economy that Gates and Dale had been strictly instructed to pursue before embarking for the colony. These fears spurred a radical reassessment of the whole frame of colonial government, and serious re-commitment to the ideal of civic corporate political culture in the late 1610s.  

When new deputy governor Samuel Argall arrived at Jamestown in 1617, he found it once again in a ruinous condition. Colonists were “in good estate and injoyng a firmer Peace and more plenty,” and were found to “cheerefully labor,” but they lacked clothes and homes. Even more ominously, Jamestown’s civic spaces had been completely compromised; the church was “downe,” the marketplace and streets that were the arteries of communal life were “planted with Tobacco,” which bespoke private profit, and all the common projects the town had embarked on, such as the palisade, the well, and the bridges across the island,

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had fallen apart. For men concerned with the *civitas* of town life, this was a dark and desperate picture.\textsuperscript{36}

But despite these sorry scenes, Argall resolved to once more reinvigorate Jamestown as Virginia’s capital city. He relocated a large number of the upriver settlers back to the town and boasted in letters to London about the way he was restoring this urban space that he preferred to Bermuda Hundred or Henrico. Why he took this course of action is not entirely clear, but as he took one of the first large private land grants in the colony – Argall’s Gift – on land adjoining Jamestown Island, it was probably a decision driven by private interest, and this is where Argall erred. He had been instructed to redevelop the company’s lands – also near the town – and secure his own subsistence using the acreage designated as “Governor’s Land,” but he instead claimed personal property rights for Argall’s Gift, brought over a team of new colonists, and began developing the area as a private plantation.

The Company’s new liberalised land policy had certainly sparked other private ventures besides Argall’s, but whether the governor was within his rights to pursue this private project was scarcely the point as far as observers in London were concerned. Looking back on the events of this period a few years later, Company treasurer Edwin Sandys claimed that Argall had taken “the Companies Garden” that had profitably supported Jamestown and exploited it for private purposes until it “was gone and Consumed.” The choice of language was particularly emotive – Argall’s private voracious appetite was consuming the safe pastoral garden that had served the common good of the community.\textsuperscript{37}

\textsuperscript{36} Kingsbury, Records, 3: 71; Tyler, *Narratives*, 330.

Because of his preoccupation with private projects, Argall also had difficulty enforcing his will upon the colony. He attempted to utilise the martial law adopted by Gates and Dale earlier in the decade. In more prosperous and less dangerous times, though, these methods came in for increasing critique. The new governor was forced to acknowledge alternative claims to civic authority rooted in the colony’s other proto-urban settlements. When he claimed authority over the community at Bermuda Hundred he did so by referring to himself as “a member of that City,” thus recognized that the “Citizens” of the settlement at Bermuda were working with recognized framework when asserting their “privileges” in the face of his more martial authority. The theory behind the Laws Divine, Moral, and Martial had been that virtue could only be secured through force and oversight. Under these laws the towns had truly been defensive bulwarks against attacks both internal and external – spaces for surveillance. However, the evidence from Bermuda Hundred suggested the first fruits of a citizen community where virtue could be secured through privileges and community, and membership implied a measure of responsibility for governance. The message that was reaching the Company in London, then, was that their new governor was unable to lead effectively because he was putting private interests ahead of the common good and stifling the nascent civic community that might cultivate it. Argall claimed to have set men to work rebuilding the structures of Jamestown that had fallen into ruin, but from the perspective of civic commonwealth tradition he had neglected the corporate, communal parts of urban life that made it so central to an orderly, peaceful, and profitable society.

The promise of economic success in the tobacco trade from 1617 onward also exacerbated the dissonance between marshal towns and civic communities in Virginia. A

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50 Kingsbury, Records, 3: 76, 92. The considerable division that exists amongst scholars about the degree to which Argall pursued martial law during his tenure as governor is largely rooted in the contradictory primary sources that were generated during a later inquiry into Argall’s misconduct. See Craven, Dissolution of the Virginia Company, 37; Philip L. Barbour, Powhatan and Her World (Boston, 1970), 188, 216-18.
commodity market was emerging on the James River, and the London merchants who
controlled the Virginia Company seized this first opportunity to skim off a profit from the
colony by devolving the provisioning and tobacco trade to a monopoly subcompany called
the Magazine. These merchants realized that colonists whose clothes had recently been
described as “ragges” and were clearly in need of the whole gamut of European goods,
promised to be malleable clients for a monopoly company touting the comforts of home.
However, trade in Europe was governed by rules controlling prices and limiting corrupt
double-dealing, but these mechanisms were anchored in urban institutions, which even at
their most oligarchic contained a modicum of citizen sovereignty. Consequently, when
barrels of tobacco started stacking up on the wharves of the James River, the company’s
trade privileges and the practicalities of boom-time commerce made for a troublesome mix
of authority and economic interest. In 1618 the Virginia Company received new complaints
about trading exploitation. One of the Company’s leading figures, Sir Robert Rich (future
Earl of Warwick), wrote that the merchants dominating the trade “affected nothing but their
own immoderate gain, though with the poor planters extream oppression, as appeared by
their magazine.” Equally, however, those with a financial interest in the Magazine accused
Argall of undermining their endeavours and attempting to “overthrow” the colony’s only
sure means of supply. In short, trade in the Chesapeake was becoming a mess and Argall,
without the assistance of corporate oversight, seemed unable (or even unwilling) to establish
control. To the Jacobean mind, Virginia’s politics needed one thing — civic communities.30

Amongst Virginia’s leading critics in London was John Bargrave, who claimed to
have been caught out by the corrupt practices of the few merchants who dominated the

30 Kingsbury, Records, 2: 51-55, 3: 71-73; Craven, Dissolution of the Virginia Company, 41-43; Robert Brenner,
Merchants and Revolution: Commercial Change, Political Conflict, and London’s Overseas Traders, 1550-1653 (Princeton,
1991), 96-99; Alexander Brown, The First Republic In America (New York, 1898), 279.
A ship captain and small merchant who had used the new private plantation system to gain a toehold in Virginia, Bargrave hoped to trade in the colony, but he claimed that Argall repeatedly harassed and delayed his cargoes. Upon his return to England, his cargo of tobacco was stalled by customs collectors allied with the merchants who controlled the Magazine, and by the time it was released the price of the leaf had collapsed. Bargrave did not wait for anyone to extrapolate the broader ramifications of his own hard-luck story. He confidently proclaimed that he was “the Anvil of the malice & greedy desires of the Governors both here and [in Virginia].” The Magazine was “a Company of laccon” which had become the “mistress of the Company” and thus “publique good was forced to serve private gane.” As a result of this scheming, Bargrave claimed, the planters were “groaning under the oppression of their governors”; they were “deprived of their lives and goods & many were brought into Condemnacon & slavery” by what he boldly called “Tyranny.” This appears rather an excess of bluster and rhetoric for a man cheated of a few hundred pounds’ worth of tobacco, but it rang true in the ears of those within the company who were committed to a civic humanist vision of an urban commonwealth. Bargrave’s case rumbled on for many years and even reached the Privy Council, but his critique, supported by corroborative evidence and the news of Argall’s despoiling of the common land, pushed the company in London into urgent action to reinvigorate the civic constitution of the colony.40

In 1618 a new plan was drawn up to address these myriad issues, and was dispatched with George Yeardley, who replaced the disgraced Argall as governor of Virginia. The guidelines, which Yeardley rather grandiloquently referred to as “the greate Charter,” have

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40 Argall was related to Sir Thomas Smith, mercantile leader of the Virginia Company, who bore the brunt of the criticism for the Magazine’s supposed corrupt trading. See Kingsbury, Records, 3: 517-20. For more details on Bargrave’s complaints, see Craven, Dissolution of the Virginia Company, 279-81; Brown, First Republic, 267-68. Philip Barbour claimed that Bargrave’s complaints against the Magazine were not directed at Argall (he suggests the two were long-term friends), but Bargrave’s imputation against the “governors” in Virginia at the time (which included Argall) is fairly clear. See Barbour, Pocahontas, 70-71, 217-18.
become famous in Virginia history because of the provision they made for the colony’s first assembly. That, though, was not the document’s main objective and certainly not why the new governor felt inspired to give it such a prestigious title, as numerous scholars have been at pains to point out. Instead the document dwelt extensively on land tenures, legal rights, and the reinvigoration of the colony’s corporate structure. It is a mistake, however, to see such mundane topics in a “greate Charter” as evidence that Virginia was already turning to a pragmatic model of government where simply distributing arable land to farm tobacco was of sole importance. The method of land distribution was not intended to simply exacerbate the feeding-frenzy for quick profits, it was intended to shape the distribution of power on the local level through the institution of corporate towns. Land grants and provincial assemblies were merely support structures for civic institutions that were absolutely central to the company’s stated primary objective of establishing “a flourishing State.”

At the heart of the charter lay an attempt to address the contradiction that was confounding the company. Short on cash, its members had to encourage private plantations in order to fund new emigration and supply, and they had also learnt that private land grants stimulated colonists’ productivity. Yet such grants (as Argall’s tenure had demonstrated) could easily plunge the colony into much-feared faction and disorder, risking the whole basis of the commonwealth. In order to bridge this troublesome contradiction, the company placed faith in the unity and harmony that could be achieved through a series of independent civic corporations each charged with jurisdiction and supported with a hefty endowment of public land. The first four of these cities, Jamestown, Henrico, Charles City (formerly Bermuda Hundred), and “the Burrough of Kiccowtan,” were to be company foundations that would set the framework of the initial constitution and house the major institutions of the commonwealth – namely, the governor’s residence and the proposed new college. The
small private grants to individuals (one hundred acres for early immigrants and fifty for more recent arrivals) were to be held within corporations that would tie landownership to particular rights and responsibilities within the community. The charter implied that colonists would reside within the urban limits of the corporations and travel daily to farm their private plots. These towns were to be followed by the establishment of urban centres at each new private “particular plantation,” the rules of which were strictly delineated in the new charter. Such urban foundations would eventually be “incorporated by us into one body corporate” so that they might “live under Equal and like Law and orders with the rest of the Colony.” It was clear that being part of a civic community was considered the only way that virtue and civitas could be maintained, even on the private plantations. The “generall Assemble” which the company established was to be partly composed of “burgesses” drawn from the various corporations that were to be the bedrock of the political system. We should not, therefore, mistake the liberal land grants and encouragement of particular plantations as a turn to a rural model. The company made very clear that no settlements should be “placed straglingly in divers places” and that civic institutions were to be the root of governance.41

Each corporation, both public and private, was to receive an allotment of common or “public” land. The charter noted that all of “the most famous Common Wealthes both past and present” had followed this “laudable Example.” Company plantations were to receive a grant of three thousand acres of public land while private plantations would be allowed fifteen hundred acres for this purpose. At first glance the term common land appears to reference the medieval English agricultural tradition of common fields within which peasant farmers from one village would all cultivate strips of ground; this system was coming under threat in the sixteenth and seventeenth centuries as the gentry enclosed land

41 Kingsbury, Records, 3: 98-109, 310-11, 482-84.
and farmed it privately in small units. This enclosure movement was rooted in the same desire for private landownership that drove the establishment of private plantations in Virginia, so such a provision appears incongruous. Looking more closely at the public land plans laid out in the charter clarifies the situation. The large acreages were to be divided amongst tenants who would be transported to the colony at the company’s charge and would work the land as individuals, paying back half of their income as rent. This income would, it was assumed, not only fund the Virginia Company back in London but also support the costs of the colony’s councillors and the officers of each of the boroughs. The land allocated to the college and to the governor would be exploited in the same way too.

When understood in this way, the common lands that were apparently so essential to the establishment of a healthy commonwealth take on a different complexion. Instead of being reminiscent of village agriculture or the English manorial system, they most closely reflect the increasingly prosperous circumstances of English corporate boroughs in the preceding century. Robert Tittler has demonstrated that English corporations were amongst the leading beneficiaries of the Henrician Reformation in England, during which time they staked a claim to large acreages of confiscated church property in and around their boroughs. These large landholdings rapidly enriched the corporations and allowed them to assert increasing control over the local community. This power, authority, and prestige enabled the civic urban ideals of the late-sixteenth-century boroughs to flourish. Corporate leaders were able to lower the duties and fees of civic membership and increase the benefits, and they were better able to eschew the local gentry’s influence. These were the prosperous and contented circumstances in which men were thought to be able to act virtuously and independently in pursuit of the common good. Thus, without a stake in common land to balance the private interests of their individual farms, the Company assumed that their new
corporate towns would not be able to achieve the civic ideals of a true commonwealth. They explained in a public pamphlet that a healthy stock of tenants on the corporate lands served everyone “as well for their ease of publicke burthens, as for support of publicke Justice, good order & government.” As Sandys noted to his colleagues, “the maintaining of the publiqu in all estates being of noe lesse importance, even for the benefit of the Private, then the roote and body of a Tree are to the particular branches.”

Beyond these general guidelines about private and public landownership, the charter, in the form that survives today, did not go into much detail. There is, however, a tantalising blank space of several lines in the manuscript copy of the charter immediately before the instructions about establishing the corporations. The text before the blank space reads: “forasmuch as our Intent is to Establish on Equal...” Presumably these omitted lines held the key to understanding precisely how the company envisioned the corporate structure promoting equality and working with the private ventures. They have probably been simply lost in transcription, or perhaps they were left blank in the original while the Company resolved disagreements about this most philosophical portion of their text. Either way, however, by using the other documentation generated by the company in the subsequent three years it is possible to piece together precisely how they saw the corporations taking on political and social responsibilities within the commonwealth. It is clear that they intended to


43 Kingsbury, Records, 3: 100.
move the corporations away from the martial control of military captains and colonels. The charter had outlined that martial law should be replaced by new “just Laws for the happy guiding and governing of the people,” and eighteen months later, in the summer of 1620, Edwin Sandys set about perfecting the details of the plan in a further set of proposals to the Virginia Company about the colony’s constitution. He firstly advocated codifying the rules and regulations that had already been issued, but in addition:

A Thirde parte remayneth of the pticular Governmt by way of Incorporacon for every Cittie and Burrough wch I wish may be for all of one and the same model uniformitie beinge not onely a norisher of Amytie butt also a greate ease to the Generall Government. This pte is to be committed to fower Committees expert in the government of the Corporacon of this and other Citties of this Realme to frame out of them a forme moste fitt for yt people.  

Ultimately, four separate committees for the different corporations proved too onerous and one five-person committee was established. At its head sat Robert Heath, Recorder of the corporation of London. There could be no one more qualified than the legal counsel to the kingdom’s largest corporation, who in addition had, the previous year, successfully drafted an advantageous new charter for London that had frustrated many in the Jacobean court. Nicholas Ferrar was also named to this special committee, probably reflecting his family lineage in the guilds and corporation of London and perhaps also his recent lengthy sojourn in the city-states of Italy. Although these men’s labours may not have borne fruit – if they did, the documents have not survived – the membership of the committee suggests that the Virginia Company was serious about the urban structure they envisioned for the colony and about the creation of civitas rather than simply a huddle of contiguous buildings.  

44 Ibid., 1: 394-95, 3: 99.  
Even if these corporate constitutions never made it to Virginia, it is evident that the company in London still operated under the expectation that *civitas* was developing there. On a number of occasions, they called upon the boroughs to act voluntarily and corporately to achieve an end that they framed as the common good of the colony. The most obvious of these tasks was the maintenance of a church and minister, but they also included the support of Indian children through the process of conversion and education. Perhaps the most grandiose task was the erection of guesthouses. After the “greate Charter” was issued in 1618, the company began a concerted effort to ship over increasing numbers of colonists to occupy the newly established common lands. Unfortunately, faced with a flood of immigrants arriving at the wrong times of year without supplies, Governor Yeardley struggled to feed and house them. Guesthouses were the company’s solution to this dilemma. They called upon each public corporation to erect a large tenement – 180 feet long and nearly 3,000 square feet – where new arrivals could be housed whilst they worked to erect their own private dwellings. Because no one was to permanently reside in the new buildings and because they were designed to facilitate the peopling of the public land with profitable tenants, the company saw them as the perfect example of a selfless public service to which each corporation should be happy to contribute. As a token gesture, though, company members promised to send “two Kine or Heifers” to graze the land of each borough that complied. In stark contrast to the authoritarian methods that had prevailed earlier in the decade, they said that they would forgo their “absolute power” in order to “try the love of the Colony, [rather] than their obedience by command.”

The corporations civic powers were also called upon to address the mercantile problems in the Chesapeake during these early tobacco boom years. The much-maligned

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46 Kingsbury, *Records*, 3: 106, 276-78, 470. For the problems encountered by the new wave of settlers and the guesthouse project, see Craven, *Dissolution of the Virginia Company*, 154-59, 171-73.
Magazine was dissolved in January 1620, and from that point onward the company sought to supply the colony through individual contracts for particular voyages. The end of the Magazine marked the souring of relations within the company leadership in London. Ever since ill reports began appearing about Governor Argall’s administration, there had been criticism of the wealthy London merchants, such as Thomas Smith, who led the company and held a stake in the Magazine – they comprised the “ffacon” that John Bargrave attacked so bitterly. The “greate Charter” and the efforts of 1618, though largely representing the new ideas of Edwin Sandys and his allies, had enjoyed at least the begrudging cooperation of Smith. But in 1619 Sandys replaced Smith at the head of the company and tensions between their two groups of supporters – described as “gentlemen” and “citizens” respectively – became worse. With the company fully under its control, the former group was able to abolish what it saw as private mercantile profiteering at the expense of the young colonial commonwealth. Without the Magazine monopoly, the weight of mercantile oversight was now placed upon local corporation officials in Virginia. Sandys and his fellow gentlemen intended to radically reshape the colony’s economy with a renewed push for diversification of production. In 1619 the company sent as many as fifty craftsmen and artisans in a single ship, to reorient the economy away from the tobacco that made colonists so dependent on merchants and also to populate the corporations with men

4 Craven, *Dissolution of the Virginia Company*, 25-29, 46, 115-116. The fact that the “gentlemen” of the company, led by Edwin Sandys and the Earl of Southampton, instigated these reforms in opposition to mercantile “citizens” may appear counterintuitive. However, civic humanism was certainly not limited to citizens, and Sandys, as a parliamentary leader who fought against excessive court control, was well aware of this discourse. In addition, the London aldermen who were termed the “citizens” of the company were somewhat atypical because, as very wealthy merchants, they were committed to a rigid corporate hierarchy and were strongly allied with the Jacobean court. Sandys’s key allies in the Virginia reforms, the Ferrar brothers, were exemplars of a family with London citizens’ heritage that did not side with Thomas Smith and his fellow wealthy merchants. For Sandys’s political ideas see Horn, *A Land As God Made It*, 134-36. For the Ferrar brothers’ family background see Granfield, “Ferrar, Nicholas,” and David R. Ransome, “Ferrar, John,” in *Oxford Dictionary of National Biography*, www.oxforddnb.com. For the conservative politics of the London aldermen in this period, see Brenner, *Merchants and Revolution*, 92 112, 199 218
capable of regulating their own trade. Sandys brought forward his proposal for drafting borough charters only a few months after the dissolution of the Magazine and the shipment of the craftsmen to the colony. It is thus tempting to surmise that Sandys intended to include partial mercantile oversight in the corporate charters that he hoped to draft in 1619. In any case, it is clear that the new company leadership was anxious to encourage the kinds of market controls typical of an urban corporation. They insisted to the colony’s leaders in 1621 that “the Markett be open for all men, that the charitabell intention of the Adventurers be not abused, and turned into privat gaine.” They explained that they found market forestalling or engrossing to be abhorrent evidence of the “oppression and grinding of the poore” and required them “severely to punishe” any such “wicked and barbarous” activities.

It is difficult to assess how Virginia colonists responded to the corporate model that the charter enjoined. As we have already noted, the “citizens” of Bermuda Hundred had flexed their muscles against Samuel Argall in 1616 so there was certainly a receptive audience for the reforms, but in the few other records that survive the Bermuda colonists never again style themselves this way. Elsewhere, good records survive from one of the private plantations – Smith’s Hundred, on the north bank of the James above Jamestown. The founders of this private venture, who included Governor Yeardley himself, not only insisted that the colonists establish a town on their arrival but also laid down a series of ceremonies and feast days designed to ensure communal unity. They confidently wrote a year later of the “Towne nowe called Berkeley, where . a hopefull foundacon is layd.”

When the representatives of the various corporations gathered for the first general assembly in 1619, they responded positively to the charter; they pushed the Company to

49 Kingsbury, Records, 1 394-95, 3 487
50 Ibid , 3 200, 202, 207 8, 380
send more men “hither to occupie their landes belonging to the fower Incorporations, as well for their owne behoofe and poiffitt as for the maintenance of the Counsel.” Governor Yeardley even complained that the ten-mile radius between boroughs and private plantations – intended to limit conflicts between the corporations over common lands – ought to be reduced in order to allow them to “drawe nearer together.” The representatives also eagerly took up the role of controlling the tobacco market, fixing prices for the leaf that they communicated to the merchants. Aspects of the legislation that they drew up were devolved onto individual corporations, such as the control of idleness and the supervision of colonists who wished to travel beyond the corporation. In addition the clergy of the colony’s churches, which were all supposed to be based in and supported by the boroughs, was given authority to oversee social issues which mirrored that of an English parish. But the assembly’s actions did not imply a plan for corporate independence or the cultivation of self-government, which is perhaps too much to expect from representatives of such small communities only just emerging from military rule.\footnote{Tyler, \textit{Narratives}, 257-60, 263-64, 270-72.}

It was always going to be difficult for the company to quickly realise its objective of a network of corporate boroughs in a few short years. Its members willingly admitted that they sought only the beginnings of a governmental system, not its full formulation.\footnote{Kingsbury, \textit{Records}, 3: 310.} With tobacco leaf fetching prices that one might expect from gold leaf, it was unsurprising that planters were preoccupied with their own private estates. But the company never really made provision for the common land it repeatedly insisted was so essential. It shipped colonists over to act as tenants and relied upon Yeardley and his successor, Sir Francis Wyatt, to put them to work, but the immigrants were never properly supplied and the governors lacked the infrastructure within the boroughs to administer hundreds of small tenancies, gathering
rente and distributing supplies. Late in 1619 John Rolfe wrote to the company that although Yeardley “hath bounded the lymitts of the 4 Corporacons,” the most recent shipment of tenants was so poorly supplied that he had been forced to loan them out to private planters in order to keep them alive. None of this was calculated to preserve the brittle cirtitas that the company hoped to create. In the summer of 1620 (while Sandys planned the civic charters for the boroughs and wrote of testing the colonists’ love), the new secretary in Virginia, John Pory, lamented that the planters were disinclined to any public project; he explained that Yeardley had tried to get the members of the James City corporation to contribute a little labour to repair a bridge and the fortifications, but, despite the fact that the work was for “ye use and defense of ye same City,” the citizens “repyned as much as yf all their goods had bene taken from them.” No comment better reflects the gulf between ideal and reality in the Company’s colony.

With the expected profits not flowing back to the coffers in London, the money for shipping tenants to the common land quickly dried up, but the urban plan still did not change: the company continued to grant private plantation patents on condition of establishing a town that could in due course be incorporated. Ultimately, though, the Company had bigger problems than the proclivities of their colonists. Heightening tensions with the local Indian population burst forth in the spring of 1622 when Opechancanough, heir to his brother’s Powhatan Confederacy, led a coordinated attack on most of the English plantations up and down the James. Approximately a quarter of the colony’s population was

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53 George Sandys – Edwin’s brother – had been sent to Virginia as a resident Treasurer to oversee the collection of financial obligations in 1621, but he had no chance to establish a system before the Indian attacks of 1622. See Craven, Dissolution of the Virginia Company, 148-75, 188-89; Horn, A Land As God Made It, 243.
54 Kingsbury, Records, 3: 241-48, 302. Governor Wyant was also forced to write to the company admitting that he would need specialist workers to build the guesthouse at Jamestown because the corporation could not (or would not) complete the task (McIlwaine, Journals of the House of Burgess, 1: 17).
killed in one day of fighting. The attack effectively wiped out some private plantations and public boroughs, but James City and Elizabeth City escaped.51

Opechancanough’s assault was obviously a setback for the settlement plans Sandys and his colleagues had formulated in London, but they saw it as divine confirmation of the evils of the disorganised government that had persisted in the colony. In the immediate aftermath of the attack, Governor Wyatt gathered all the survivors in a few select private and public locations and contemplated relocating a large number of them across the Chesapeake Bay to establish a new town and fort on the Eastern Shore (which had escaped any violence on the fateful day). The proposal involved allocating to three or four hundred men a garden lot of only four acres each within a fortified settlement; the council in Virginia later wrote that the plan would “noe doubt have drawne one the buildinge of fortified Townes.” This was unmistakably reminiscent of the military plan that Dale and Gates had developed in the early 1610s but, without private estates, common land, or incorporation, it was hardly a reflection of the borough plans that had been cultivated over the preceding few years.

Unsurprisingly, Wyatt’s proposal differed markedly from the initial reaction in London. The company wrote urgently in August, immediately upon learning of the attack and Wyatt’s proposed solution. Any threat to property in Virginia risked disillusioning private investors in England, and they realised that news of the colonists abandoning the entire James River and fleeing across the bay was likely to destroy the project in the London press. They advised Wyatt to assist the private planters with reoccupying their land, but crucially he was to ensure that they desisted from “inordinate straggling,” by which religion, “civill life and securitie” all “run hazard of perishinge.” He was to use his authority to restrain any settlement that he judged unable to protect itself, but he was also to go further “for their

51 Kingsbury, Records, 3: 624, 632; Horn, 1 Land As God Made It, 228-34.
better Civill government (which mutuall societie doth most conduce unto)" by seeing that “houses and buildings be so contrived together, as may make if not hansome Townes, yet compact and orderly villages.” Typically the company concluded that anyone who resisted this scheme was simply acting “to the satisfieing of their private interest, although wth the ruine of the publicque State.” Replying to these orders, Wyatt expressed surprise that the company was advocating scattering the colonists once again, a statement that reflected – partly by necessity – a more martial understanding of urban form and function. The company had been insistent on the advantages of orderly boroughs, but this was not the same thing as cramming the whole population into a barricaded fortress.  

The point is most ably proved by the famous engraving of the 1622 “massacre” that has been attributed to Matthaeus Merian (fig.1). Unsurprisingly, it shows Indians murdering defenceless English people, but the context makes clear that there is much wrong with the settlement under attack. Firstly the houses in the forefront are disorganised and scattered instead of being organised into rows, and the public space of the street is not paved or even levelled off - instead it appears to be undulating dirt. The settlement has no palisade, and its exposed waterfront lacks any docks or wharves. To make matters worse, the divisions between private and public life appear to have broken down as a number of the victims were

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56 Kingsbury, Records, 3: 656, 669, 4: 12.
eating a meal in the street when the attack occurred. To emphasize the problem, the image contrasts it with another scene in the distance in which a compact town with spires, steeples, and a sturdy wall is using heavy armaments to successfully fend off native attackers. Neither of the two English groups in the picture was isolated in a lonely cabin in the woods, but one represented a cooperative urban community that had engaged in collective civic projects and the other was a collection of settlers who had huddled their homes around a muddy field.57

57 Menen engraved the image for the thirteenth volume of the America collection. It is difficult to know if Merian had access to any information beyond the text itself. Being based in continental Europe (in Frankfurt)
The colony proved incapable of recovering quickly from the 1622 attack. The new colonists sent by the company were ravaged by disease, and a war of revenge conducted against the local Indian population took attention away from other projects. Back in London Opechancanough’s strike had also spelt the beginning of the end for the whole Virginia Company venture as Sandys’s enemies united behind a series of ill reports to seek the revocation of the charter. One such epistle came from Nathaniel Butler, former governor of Bermuda, who unflatteringly compared Virginia’s built environment to “the meanest Cottages in England” and simultaneously noted ineffective government and disregard of lawful proceedings. His comments were echoed by London alderman and company investor, Robert Johnson, who contrasted the “unity and love” the colony had supposedly enjoyed under Sir Thomas Smith with the present “Civil discord and dissencon.” Sandys’ faction had failed to provide the financial or administrative support to realize their civic vision for Virginia, and the colony’s cities were no match for Opechancanough.

Sandys’s brother George, who had arrived in Virginia only a few months before the attack, continued to write reports advocating the orderly reduction of colonists into boroughs. “How is it possible,” he asked, “to govern a people so dispersed... how can they repaire to divine service, except every plantation have a Minister? how can we raise soldiers to goe uppon the enimy or workemen for publique imployments...?” Men such as George Sandys represented a possible resolution to the problem of the colony’s settlement system – they had the education to understand the corporate civic humanist vision that underlay the company’s plans, but they also had experience of the practicalities of Virginia life.

Unfortunately, the Company did not last long enough to enjoy these benefits. In the spring

Menan would have been more familiar than his British contemporaneae with the ideal of the heavily fortified citie, as it is pictured in the background of the engraving, see Michael van Groesen, The Representations of the Overseas World in the De Bry Collection of Voyages (1590-1634) (Leiden, Neth., 2008), esp. 480-81.
of 1624, the enterprise was wound up and George Sandys's difficult questions, which were quickly becoming a royal problem, truly became a Royal problem.58

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When James I took personal control of Virginia, it was not at all clear what he intended to do with it. To make matters worse, within a year he was dead and his son Charles I was left to formulate a colonial policy. The colony's straggling manner of settlement continued to be one of the primary causes of unease. Before James had approved the Quo Warranto that put the Virginia Company to the sword, a variety of new governmental plans and proposals began to appear in direct response to the perceived failings of the Sandys administration. With the king more than three thousand miles away, and soon to become entangled in a morass of domestic issues, it was still difficult to enforce a settlement, civic, or economic structure on the young colonial society. Yet this did not diminish the political significance of these questions in the minds of planners and officials. As the threat of Indian attack temporarily receded during the next two decades, the landscape of the colonial tidewater region was reshaped and settlements fanned out along the rivers. Social historians have done an excellent job recounting how this dispersal took shape, but they have largely overlooked how politically charged the process was. Despite initial unease, urban development again became part of official policy in an effort by royal officials to retain control of a new breed of ambitious colonial planters and merchants.59

58 Kingsbury, Records, 2: 373-76, 4: 24-25; Horn, A Land As God Made It, 244-45; Craven, Dissolution of the Virginia Company, chap. 9.

59 For the inopportune death of James I, see Craven, Dissolution of the Virginia Company, 329. On the gradual expansion of settlement through the Chesapeake region in the postcompany period, see James Horn, Adapting to a New World: English Society in the Seventeenth-Century Chesapeake (Chapel Hill, N.C., 1996), 136-60; Darrett Rutman and Anita Rutman, A Place in Time: Middlesex County, Virginia, 1650-1750 (New York, 1984), chap. 2; Russell Menard, “British Migration to the Chesapeake Colonies in the Seventeenth Century,” in , eds., Colonial Chesapeake Society, ed. Lois Green Carr, Philip D. Morgan, and Jean B. Russo (Chapel Hill, N.C., 1988).
Anyone with a finger on the pulse of the London political scene in the early 1620s would have identified that the Virginia Company was the sick man of the Jacobean court. It was embroiled in a scandal over tobacco customs contracts, practically bankrupt, and repeatedly lampooned by its former members. In 1623 the King established a commission to investigate the many failings of the Virginia venture, and the evidence amassed by the company’s opponents. One group of sailors recounted vividly the civil degeneracy of Jamestown – they noted that the wharfs were ruined, the storehouse under water, and the streets and civic spaces strewn with unburned corpses. These were pictures of a particular kind of neglect of institutions and civil bonds. More importantly, colonists had lacked viable defences with which to repel Opechancanough’s attacks in 1622. The commission, in agreement with the testimony of John Smith, who had been brought in as an expert witness, concluded that chaos in Virginia had resulted from a lack of clear leadership and an overabundance of offices. The company’s borough plans and seeding of miniature private corporations had proceeded too quickly. This conclusion was a practical one, but it also represented distrust of the whole civic corporate ideal among some sections of the court.60

Even before the company was dissolved, new governmental forms, tied to England’s heritage of rural government, were being proposed. John Martin, a disgruntled private plantation owner who fought the company for a number of years over his patents, first proposed a reorganisation in London in December 1622. Arbitrarily narrowing the local Indian population to a round number of thirty-two tribes, he claimed that each tribe had “one especiall towne seated uppon on the three greate Rivers wth sufficiency of cleared ground fit for the plough.” With convenient symmetry, Martin proposed that the crown might order thirty-two of England’s shires to “send over 100 men a peece to posesse theise

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60 Craven, Dissolution of the Virginia Company, 251-91, 295-98; Kingsbury, Records, 4: 93.
32 sheires as Servants unto them furnished out by them.” The ties between the “sheires” of Virginia and England would be permanent, since the profits of each Virginia shire would return to its corresponding English locale, which would then “yearly send over good store of Commodities to increase their several sheires with fresh supplies and much gayne.” The whole government structure was to reflect shire, or county, government. Each English shire would nominate “Justices of peace ... and other Officers under them as here in England.”

Martin’s new vision of the colony thus consciously rejected the urban corporation form. The only towns were to be the county seats that would be stolen from the native people ready-made – Martin made no mention of a distinct class of citizens. For a colony less than twelve months removed from the bloody day of Indian attacks, it is possible to see the appeal of Martin’s plan. It addressed the Indian question because all of the towns were to be “seised on at once,” quashing any future threat. It also gave Virginia a direct connection to the shires of England, which might ensure colonial stability, order, and hierarchy by retaining the continual influence of traditional English communities, instead of attempting to build it through countless semi-independent corporations. Whereas the company had sought to drum up support in the many market towns of England, Martin wanted to redirect attention to county communities, and his radical plan represented the opening salvo in a fresh debate about settlement structure and political authority.64

John Bargrave, the merchant who had condemned the Argall administration and partly inspired the company’s 1618 reformation, proposed another solution. He had a tense commercial relationship with Martin, whose Virginia landholding bordered his own, but they also developed family ties and so it is not impossible that the two men might have shared a drink while hashing out the problems of the colony in the early 1620s. Whether or not

64 Kingsbury, Records, 707-10; Craven, Dissolution of the Virginia Company, 117-20; Martha McCartney, Documentary History of Jamestown Island (Williamsburg, Va., 2000), 3: 235.
Martin was his inspiration, however, Bargrave was beginning to articulate a distrust of the whole company. He had previously accused Smith and Argall of tyranny, but Sir Edwin Sandys and Yeardley, by contrast, were now guilty of a "populer government." He argued that their plans for borough corporations, "directlie take away power of the monarchie" by "profuse throwing out libertie" and creating chaos. In December 1623, when the company's fate was practically sealed, Bargrave began floating his own realignment of the colonial enterprise. He recommended that sizable grants of new land be given only to those who held a large English estate and that all the leading planters already in the colony be required to hold estates in England. The two sets of land would be tied together in perpetuity and would never be able to be sold separately. Furthermore, governance in the colony was to be strictly divided into estates based on the number of servants a given planter had imported.

Three hundred servants would be sufficient for a planter to be eligible for the highest offices within the commonwealth, with four degrees of "citizens" below them, and two degrees of servants and tenants. The rankings within society would be passed by primogeniture to the eldest son, but Bargrave's was anxious to point out that his plan allowed for social mobility because simply by raising the money to import additional servants, "the meanest servant" could eventually rise to the office of "a lord patriot which is the greatest place the commonwealth can beare." In common with Martin's plan, then, large landholders from England's shires were to be trusted above the wealthy English merchants and commercial opportunists who had cynically governed the colony for private interest. A class of transatlantic landholders would hold an interest in the good government of Virginia but also a concern with maintaining its ties to the English Crown.

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62 For John Bargrave's conflicting connections with John Martin, see Martha W. McCartney, Virginia Immigrants and Adventurers 1607-1633: A Biographical Dictionary (Baltimore, Md., 2007), 109-10; Lyon G. Tyler, The Cradle of the Republic: Jamestown and James River Virginia (Richmond, Va., 1900), 126; Craven, Dissolution of the Virginia Company, 278 83; "Lord Sackville's Papers," 509.
Bargrave insisted that current planters gather together to found settlements that would eventually reach the ideal population of 300, by “planteing themselves as neere to one another as may bee.” But he envisioned towns, common lands, and “cuntrie villages,” radiating outward from the centre of each plantation. Towns would be governed by civic institutions, as the company had envisioned, but voting was to be restricted. Corporate officers, who could come only from the citizenry, were called upon to elect a governor for the town from amongst the highest ranking citizens as well as a “patrician” to represent them on a provincial level from the gentry or “Patriot” class. This procedure was clearly reminiscent of the more oligarchic of England’s incorporated boroughs and it had clear connections to the reliance of some English towns on the patronage of wealthy local gentry. Some English boroughs had developed rigorous corporate independence, while others relied upon this patronage; Sandys had modelled Virginia cities on the former, and Bargrave now turned to the later.\(^6\)

Although a small-scale operator in the English Atlantic world, Bargrave was well educated in a civic humanist curriculum. He came from a wealthy Kentish family and his brother was Dean of Canterbury Cathedral. His proposal frequently cited Cicero and Aristotle to emphasize the ideal form of the commonwealth. Drawing from the humanist theory that subjects’ hard-won affection bred civil obedience, he explained that his objective was to institute the “mutuall duties of commandeing and obeying” and, through “justice and bountie,” to instill “naturall love and obedience.” Thus citizens from the highest estates were given status and positions within an urban corporate framework in which they could pursue civilitas. However, these towns would be strictly controlled to ensure that only people capable of civic virtue would be allowed to direct the community. Rather than relying on

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virtue bred through shared, equal stakes in common land, Bargrave’s plan rested on a
patchwork of large landholders who might patronise urban communities.64

Bargrave’s and Martin’s plans channelled the uneasy attitude of English planners and
projectors toward Virginia’s settlement system in two ways. First, like the royal commission
of 1623, they both showed a marked and perhaps inevitable renewal of interest in the
defensive capabilities of towns. Martin’s plan depended entirely on using the forces of
English shires to effectively enslave all the tidewater’s native towns, and Bargrave explained
how his plan would enable “Patriot” planters to raise and command troops whilst also
garrisoning their corporate towns. These two systems reflected a sense that towns were more
easily defensible, but that urban civic institutions were not ideally suited to commanding
troops on the field of battle.65 Second, the plans also reflected a concern that the company’s
eagerness to incorporate public boroughs and private plantations had undermined authority,
increased mercantile chaos, and even threatened to pull it away completely from the sphere
of English control. Although the crown’s interests were mainly pecuniary and its knowledge
limited, Bargrave and Martin both demonstrated that the company’s urban plans were
threatening to royal interests. An increasing number of small private merchants were trading
to the Chesapeake, and semi-independent boroughs would offer them ample opportunity to
escape royal oversight of their trading practices. Only properly administered towns, whose
interests were fully connected to those of the English Crown, would be beneficial in the new
era of royal control. Events in England in the later 1620s, as the country’s corporations
actively resisted new royal impositions of taxation, backed up this conclusion. Although

64 Kingsbury, Records, 4: 409. For Bargrave’s family connections, see McCartney, Virginia Immigrants, 109-10;
For the importance of “affection” in civic discourse during this era, see Haskell, “Affections of the People,”
chap. 1.
Bargrave's radical plan was never put into action, it likely got the ear of the newly crowned
King Charles I in 1624, given Bargrave's close family connections to the royal court.
Crucially, the King decided not to place the colony back into the hands of its former
administrators, such as Sir Thomas Smith and the Earl of Warwick. ⁶⁶

Yet in spite of Martin and Bargrave's ambitious new plans, the 1620s saw no
comprehensive new schema for settlement and politics in Virginia. This was primarily
because King Charles, was wise to something that colonial planners often overlooked – the
huge financial burden of instituting radical reforms or urban foundations in a distant colony.
Though the settlement system and government of Virginia may have been far from ideal, the
king spent the rest of the 1620s seeking ways to reap greater profits from the colony, rather
than sinking in a new tranche of investment. He was troublingly noncommittal about the
legitimacy of the General Assembly and the validity of Virginia's land grants – the two issues
that combined to determine the political geography of the colony. As a result, Sir Francis
Wyatt, Virginia's first royal governor dedicated much of his time to negotiating tobacco
prices with the crown and wrestling with the issue of land tenures. The colony's wealthiest
planters set to work increasing their yield across the tidewater. They had once again scattered
up and down the river and addressed their own continued fear of Indian attacks by
palisading their homes in settlement compounds. ⁶⁷

This development did not totally preclude urban growth. The “New Towne” area
immediately to the east of the old fort at Jamestown had been surveyed and sold for urban

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⁶⁶ For the state of trade and royal revenue in this era, see Brenner, Merchants and Revolution, chaps. 4-5. For
Bargrave's connections with William Laud and the Caroline court through his brother Isaac, see Bann, Under the
Sign, chap. 1.

⁶⁷ For the colony's concerns over land rights, see J. Mills Thornton, “The Thrusting Out of Governor Harvey:
A Seventeenth-Century Rebellion,” VMHB 76 (1968): 17-19; Warren Billings, ed., The Old Dominion in the
Seventeenth Century: A Documentary History of Virginia, 1606-1700, rev. ed. (Chapel Hill, N.C., 2007), 297. For the
increasing prevalence of palisaded homes during this period, see Hume, Archaeology at Martin's Hundred, 1: 85-
lots in 1623, and the group of merchants and speculators who came to dominate the
Chesapeake trade in this decade, particularly George Menefie, Richard Stephens, and William
Peirce, established warehouses there along the riverside. The members of the General
Assembly that gathered in 1624 were somewhat pleased by the recent uptick in recovery
efforts – they favorably compared their new developments at Jamestown with the towns of
the Spanish West Indies, and within a few years the received wisdom of the mercantile
community, noted by one visiting Dutch merchant, was that a base in the town was
necessary. Archaeologists have also revealed that there were probably more artisans in
1620s Jamestown than we previously imagined. A gunsmith named John Jackson rose to
prominence in this decade and owned a sizable property in the most desirable waterfront
location. Jackson held public offices and even served as a burgess, demonstrating the
potential political power available to the English “citizen” in the colonial context. Yet none
of this translates to evidence of a consciously civic or corporate political identity. The
“Citties & fortified Townes” that Wyatt had proposed in the aftermath of the uprising were
overlooked, and he did little more than unsuccessfully attempt to limit trade to Jamestown.

Whitehall’s indecisive approach to the colony changed somewhat in the late 1620s.
Wyatt had continued to report to London that the scattered settlements were vulnerable.
More troublingly for Charles, he had not been able to realise the increased royal revenues
projected by taking personal control of the colony. It was a mark of how desperate the
crown was when, in 1628, it almost signed off on a radical plan to establish a royal monopoly
on the import and sale of all tobacco. The motive behind this proposal was a renewed belief that private merchants were still exploiting the Chesapeake trade. Some Virginians were complaining of “unconscionable and cruel merchants,” and Charles was in no mood to be tolerant toward the merchant community that was simultaneously resisting his revenue efforts in England. It was in this context that the crown dispatched John Harvey, a ship captain who already had some experience of Virginia and held land in Jamestown, to reorganise the colony’s commerce and settlement. Royal officials made clear that Virginia had thus far been “wholly built upon smoke” and that this needed to change.71

Harvey arrived in the colony in 1630 and immediately set to work raising new commodities and shipping samples back to England. Within two months he had travelled up the James River in search of the abandoned Iron Works from the company era. He forced craftsmen to pursue their trades instead of planting tobacco, issued an appeal to England for more such artisans to be sent, and renewed the effort to stimulate urban growth by limiting all trade to Jamestown (an earlier restriction of this sort had fallen into abeyance).72 Harvey had been involved in trade at Jamestown during his brief stay in the 1620s, and so it is entirely possible that his renewed energy for diversification and urban development arose from a genuine (and self-interested) belief in the profits that might accrue. Archaeologists have identified evidence of a manufacturing “enclave” in the outbuildings scattered near the new home that he built in the northwest corner of New Town – including a furnace, a

71 JHB, 49 (quote). Tobacco prices fell in these years, adding to crown revenue problems. See Edmund Morgan, American Slavery, American Freedom: The Ordeal of Colonial Virginia (New York, 1975), 134-36; Brenner, Merchants and Revolution, 199-201, 221-26; Thomas Cogswell, “In the Power of the State: Mr. Any’s Project and the Tobacco Colonies, 1626-1628,” English Historical Review 500 (2008): 35-64; JHB, 45-49; CSP Colonial, 1: 86.
brewhouse, and an apothecary — and have likened this effort to similar elite experiments in industry taking place in England."

However, it is essential to put Harvey’s efforts at urban manufacturing into the broader context of his political mission and his eventual ignominious ouster from office in 1635. His relationship with the merchant-planter faction on the provincial council, who had gained control of trade in Virginia during the 1620s, was sour from the very start of his tenure; by 1631 his transatlantic opposition had gained enough strength to dominate a new royal commission in London headed by the Earl of Dorset, which quickly recommended re-establishing the Virginia Company under the leadership of Harvey’s rivals. Harvey’s commercial and urban activities must be understood in the broader context of the Dorset Commission. Almost as soon as he arrived in the colony he began writing in exasperation about the cutthroat way London merchants negotiated in the colony and the deprivations that resulted. During his first few years in Virginia, he shepherded through legislation that sought to limit tobacco output and clarified the legal definition of market forestalling, as well as the previously mentioned encouragements to manufacturing at Jamestown. He also floated the idea of establishing a formal customs office at Jamestown. In short, Harvey saw it as his responsibility to bring Virginia and its trade truly within the sphere of royal control. He encapsulated the scope of the changes he envisioned when he declared that with “God’s assistance” he would “constantly follow those ways which are most proper to make [Virginia] a country.” This statement hints that Harvey’s economic policies and urban developments were not simply a commercial endeavour: they were an attempt to reshape the political economy of the colony. He sought to personally redevelop Jamestown so that he could become a patron to a new commercial and civic community of artisans and craftsmen,

73 Horning, “Vene Fit Place,” 146-87. For Harvey’s property ownership in Jamestown during the 1620s, see McCartney, Documentary History, 3: 155-57.
which might counterbalance the influence of the wealthy planter-merchant nexus. Harvey’s scheme somewhat resembled the civic plan that the Virginia Company had envisioned in that both plans involved urban political influence over a chaotic commercial community, but Harvey’s was more consciously built around a core of gubernatorial control and was not intended to be replicated quickly across the whole colony.¹⁴

This commercial politics throws a new light on Harvey’s redevelopment plans at Jamestown. After erecting his substantial residence in the town, he made it the central gathering place for all government functions and for any visitors to the colony – he wrote to London officials that he “may be as well called the hoste as governor of Virginia.”⁵ Thomas Yong, voyaging to the newly established Maryland colony in 1634 noted that he had been generously entertained at Jamestown by Harvey and that visiting the governor’s compound in the capital satisfied in some symbolic way his “desire to see the country.” Yong also implied that Harvey had successfully gathered a coterie of allies around him at Jamestown. He noted that whilst in the town he met “dayly with severall of the best and most understanding sort of the Inhabitants of this place ... and [thereby] I find really that the present Governor hath carried himselfe here with very great prudence.” In 1634, the year before Harvey’s expulsion from office, most of the colony’s councillors did not speak so generously about him, but it appears that the men Yong met specifically in and around Jamestown were the governor’s allies. Yong’s experience suggests that there was a deeper

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¹⁴ CSP Colonial, 1: 130. “Virgima in 1629 and 1630,” 382; “Virgima in 1632-33-34,” 149-50, 155-56; HS, 188-92, 203-8. For a thorough survey of the merchant-planter elite that had come to dominate Virginia and English Atlantic commerce by this period, see Brenner, Merchants and Revolution, 116-48 (for the Dorset Commission, see 130-54). For these men’s connections to the attempt to reestablish the Virginia Company and oust Governor Harvey, see Thornton, “Thrusting Out of Governor Harvey.”

⁵ “Virgima in 1632-33-34,” 150.
poli-to-economic purpose to Harvey’s efforts at Jamestown – he was manufacturing not simply iron, but also a commercial-imperial nexus to govern Virginia.76

The governor’s vision of a reorganised Virginia geography that would facilitate diversification and royal control of trade was not limited to Jamestown. He also imagined the Virginia countryside from wilderness into pasture. Drawing from a plan originally devised by Governor Wyatt, he had a palisade constructed across the James-York Peninsula, through modern-day Williamsburg. The result, he proclaimed to London officials, was “a safe range for cattle near as big as Kent.” Scholars have noted how this palisade transformed the agricultural vision of Virginia and permanently reconfigured the English relationship with Virginia’s native peoples, but they have done less to understand how it affected the colony’s conceptual geography. As already discussed, civic ideals in seventeenth-century England closely connected open spaces (such as marketplaces and streets), fair trading, and the public good whilst linking dark, concealed, and private locales with underhanded factional profiteering. By bounding the region, Harvey sought to make it into a comprehensible and controllable patchwork of pastures and fields, thickly inhabited, instead of the dense forest that only occasionally gave way to clearings. He also sought to make the space behind the palisade a land of small planters. When Wyatt first proposed the plan in the 1620s, he noted that it would decrease the size of wealthy planters’ landholdings and create towns and villages. Harvey’s new plan explained that once the fence was completed, a fifty-acre lot would be given to anyone who would settle near it, confirming the vision of small

76 It is, of course, entirely possible that Captain Yong was deceived into this opinion by the sly tongues of Harvey’s enemies on the council, but such an assessment seems unlikely for two reasons. First, he was not completely unfamiliar with the hostility then prevalent in Virginia because he elsewhere noted Samuel Matthews (one of Harvey’s opponents in the council) as a troublemaker. Second, Yong’s connections with the Maryland venture were calculated to raise the ire of the Virginia merchant-planter elite who opposed Lord Baltimore’s patent, and it thus seems unlikely that they would have gone out of their way to befriend him and speak well of Harvey simply to put on a united front. Ibid, 156-57; Clayton Coleman Hall, Narratives of Early Maryland 1633-1684 (New York, 1910), 60-61.
independent farmers. This fit neatly with Harvey’s broader endeavours. One of his main crimes in the eyes of leading colonists was his refusal to grant new titles to land. Instead of large plantations, Harvey envisioned small farmers scattered across a pastoral landscape behind the palisade, with the commercial and political oversight for this rural hinterland secured to his loyal coterie in a revitalised urban centre of Jamestown.\(^7\)

But the mercantile leaders in Virginia and London were not about to cede control over their profitable trade to a Harvey-patronised hub. Although Jamestown did not have the look of a bustling metropolis, it did have vested interests. One of the largest planters of the period, George Menefie, had also begun dabbling in diversified products, and there are hints that he operated a forge of his own on the eastern fringes of the town. He owned prime waterfront property in New Town and enjoyed close connections with a number of the large merchants of whom Harvey was so suspicious. In 1626 Menefie’s influence made him the official merchant and factor for the corporation of James City, and in 1629, just before Harvey’s arrival, he represented James City as a burgess in the General Assembly. But over the next four years, while Harvey expanded his enclave in the town, Menefie translated much of his effort toward the development of a private estate at Rich Neck that he rather tellingly called “Littleton.” He became one of Harvey’s sternest critics and, during the fateful council meeting in which Harvey was “thrust out” of office, Menefie said enough to warrant the governor striking him on the shoulder and branding him a traitor. Although Menefie was perhaps the planter-merchant most invested in Jamestown before Harvey’s

arrival, the new governor's plan inevitably overturned other apple carts too; he personally worked to revive the shipbuilding industry when another merchant, William Bennet, had invested in this craft, and he developed a very tense relationship with Samuel Matthews, who had invested heavily in diversification away from the colony's capital.8

Not coincidentally, it was in these tense circumstances that Virginia's first counties were founded, just a few months before Harvey was ousted from office. The legislative record for the assembly of 1634 in which Virginia was broken up into eight counties has not survived, shrouding the decision in considerable mystery. Scholars have tended to view the movement to form counties in relation to the long-term structural needs of local government in a rapidly growing and dispersing colony, but they have overlooked its close relationship with the politics of the early 1630s.9 The battle over how potential county powers would balance against Harvey's authority in Jamestown was probably tense. Over the previous four years, Harvey-inspired development in the town had been matched by devolutions of authority to the monthly courts that had been gathering in outlying parts of the colony since the mid 1620s. In February 1632, in the aftermath of a brief detente between Harvey and his councillors, he assented to the first such efforts by the council, while at the same time he began legislating for diversification and attempting to restrict all trade to Jamestown. The pattern continued when the laws were reworked in the autumn of that same year. Harvey insisted upon limiting trade to Jamestown and drafted an official statement to that effect—specifically citing royal authority—that was to be posted to the mast of each incoming ship. In this same session the monthly courts were re-legislated, but

8 McCartney, Documentary History, 239-40; Horning, "Verie Fit Place," 152-55.
Harvey was careful to retain as much control as possible over appeals and complaints arising from their proceedings.80

Over the following winter of 1632-1633, the divisions only hardened as the merchant-planter leaders took their complaints about the trade restrictions to England. By December the Commissioners for Virginia in London had received word that the restrictions were “to the great prejudice of the petitioners,” and they drafted an order to have the provision repealed. Though it does not appear that formal word of this disapproval reached Virginia by the spring, there were enough grounds for concern that another assembly, meeting in February 1633, explained that they “though[t] fitt to explayne the sayd acts [about the tobacco trade] in many parts and particulars, and to make some alteration in some of them.” They reiterated the Jamestown trade restriction and offered encouragement to tradesmen at Jamestown, but they also provided a quid pro quo reinforcement of the councillors’ spheres of influence through the provision of five (later seven) dispersed warehouses for the inspection of all tobacco exports that would fall under local authority. This compromise apparently did not satisfy Harvey’s councillors, however, because another assembly was called in the summer of 1633 and yet another in 1634, during which the decision was taken to establish the county structure. Harvey’s surviving correspondence suggests that these years saw a relentless rise in the tensions between himself and the council. Because the legislation founding the counties has not survived, scholars are forced to infer how much authority these early county courts could muster over their local communities. They do not appear to have been given similar mercantile controls to those of an English borough, and there were probably no provisions for marketplaces or trade bylaws, suggesting Harvey was careful to retain economic oversight. However, whatever

powers the county courts enjoyed could only boost the status of the council members and burgesses who sat on them and help them establish local spheres of influence.\textsuperscript{81}

The single most suggestive piece of evidence that the county structure was a product of Harvey’s political troubles, however, comes from his own correspondence. Throughout 1634 and 1635, right up until he was forcibly shipped back to England, his letters made no mention of the significant decision to divide the crown’s first and largest Atlantic dominion into shires. In the summer of 1634, he wrote a lengthy account of his successes with diversification and the erection of the palisade but did not recount any of the wrangling over monthly courts or the movement toward creating county jurisdictions. Some correspondence is undoubtedly lost, but that this contentious three-year process of transition through monthly courts to shire benches went utterly unrecorded in Harvey’s surviving letters at least hints that it arose from something other than his own animus.

The same pattern also held after Harvey’s ouster from the governorship in the narrative of those events penned by his close ally Richard Kemp. Describing the meetings and conferences around the colony that were supposedly inspired by anger at Harvey and eventually led the governor to take action against their local leaders, Kemp consciously attempted to deny the county structure legitimacy. Instead of giving the meetings the veneer of legality the councillors obviously intended them to have, Kemp noted that one of them had occurred “in a place called Yorke” and that the informant had been told he should not enter the building where the gathering was occurring because “there was a Court kept there of the inhabitants thereabout.” For the remainder of the letter he described the geography of Virginia not in terms of counties but rather just as “upper parts” and “lower parts.” Kemp’s

\textsuperscript{81} CVP Colonial, 1: 158; HS, 1: 203-13, 223-24. I base the assumption that monthly courts had few mercantile powers upon the fact that they were later explicitly granted these powers in the 1650s, see HS, 1: 412-14. For a thorough examination of the origins of the county courts in Virginia and the way they helped build local elites, see Billings, “Growth of Political Institutions in Virginia,” 225-42.
account of the events emphasized the way in which the colony's councillors sought to frame their opposition in terms of legitimate local county courts, while Harvey was loath to offer them such legitimacy and saw his seat in Jamestown as the true locus of authority.\(^{82}\)

In the spring of 1635, the council undermined Harvey's grip on Jamestown with a show of military force in the heart of the town. The council's choreographed confrontation with Harvey was a political allegory intended to demonstrate that he had lost the affection and support of the people of Virginia. Bringing troops into the streets of the colony's only urban space, and into an arena where Harvey had previously dominated political society, also demonstrated that the governor could not keep the town isolated as a power base distinct from the dissatisfaction that prevailed in the country at large. In Maryland, fifteen years later, rebels would force their governor to leave the town and meet them in the woods before stumping him of authority—marking complete their rejection of that colony's capital city, but in 1635 Virginia, the councillors staked a claim to control the town and make it part of the commonwealth that they represented by marching soldiers through the streets. Rather than rejecting the town entirely, they were rejecting the political structure Harvey had given it.\(^{83}\)

During the summer of 1635, Harvey was forced to make the embarrassing journey back to England to report on his failures. While not happy with his confrontational style, the King could not be seen to bow to colonial mutiny, and so by autumn 1636 Harvey was recommissioned, restocked, and resolved to return the colony. Yet there was still no easy resolution to the questions of political and economic structure that lingered in Virginia. As soon as Harvey landed again, he began reasserting himself on the county system that had betrayed him. First he ordered the council to gather at Elizabeth City, where he appointed

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\(^{82}\) "Virginia in 1632 33 34," 157 58, "Virginia in 1635 The Deposing of Governor Harvey," 1 MH J 8 (1901) 302-6 For a thorough narrative of the events of 1635 and Harvey's removal, see Thornton, "Thrusting Out of Governor Harvey".

\(^{83}\) Haskell, "Affections of the People," chap 3
new commissioners and a new sheriff for that county, emphasizing his power over the appointments. He subsequently repeated the pattern across the colony. He also redoubled his efforts to foster development at Jamestown. Anyone prepared to build in the town was offered free land, and current land owners who left their plots vacant might expect to be unseated. Harvey later claimed that twelve new houses were built within two years of his return and that there was not “a foote of ground for half a mile together by the Rivers syde” that remained unoccupied in 1639. Archaeological evidence corroborates the conclusion that it was after Harvey’s return that his key ally in the colony, secretary Richard Kemp, began an ambitious array of building projects. Harvey had also won royal support for a new statehouse in Jamestown whilst sojourning in England, and he began gathering the funds for the project immediately upon his return.

George Donne, another of Harvey’s sympathisers, also drafted a pamphlet on his behalf that laid out the political logic behind urban development. Donne argued that Virginia’s problems arose from overmighty and overambitious planters who saw themselves as equal to the governor and that the only solution was to rescue them from their barbarous self-interest. He likened this process to the way in which Rome had rescued Europe. How was Virginia to cultivate a Rome for itself? Donne’s answer was to attract “Sober Well-disposed and Religious persons: Artificers of all trades able and ready, willing and endeavouring for the glory of God, the honor of their Nation, the service of their Prince and their own commodity to rectify to perfect A common wealth considerately begun.” The pamphlet read as a clear political justification for Harvey’s diversification efforts at Jamestown. Tradesmen would better cultivate civitas and thus perfect the commonwealth whilst remaining loyal to the king. Donne’s arguments obviously had an impact in Whitehall.
because encouragement of artificers and tradesmen featured in Virginia's gubernatorial instructions through the early 1640s.  

Aside from cultivating a reliable political constituency, Harvey’s urban development had always been intended to ensure control over trade. When he returned to the colony, he renewed this project. Kemp, had written to the king during the governor’s absence, arguing for a central port and customs house, and Harvey probably corroborated these reports during his meetings in Whitehall. Charles I, desperate to better secure any revenue he could lay his hands on, readily concurred, so when Harvey returned to Virginia he quickly revived his plan for channelling all of the colony’s commerce through Jamestown with renewed royal support. When he reconvened the assembly in the spring of 1638, he anticipated acrimony over the plan and immediately presented the order from the King that they “consider of some convenient place to bring your tobaccoe to, as to one or more appointed Warehouses.”

This opening salvo sparked the most acerbic exchange of the whole session. Burgesses claimed that the plan “would bee very chargeable and burthesome to the whole Colony,” citing the costs of building the warehouses, the vicissitudes of shipping hogsheads to Jamestown in bad weather, and the lack of small sloops to do the transshipping. For the first time in the history of the colony, they were resolutely unapologetic when they cited the “the remoatenes of our Plantations one from another” and pointedly requested that ships be allowed to “come into every County.” Harvey responded that “by pretendinge disability to

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84 “Virginia in 1636-‘8: Harvey’s Second Administration,” V/MHB 10 (1902): 265, 272; T. H. Breen, “George Donne’s ‘Virginia Reviewed’: A 1638 Plan to Reform Colonial Society,” W/MQ, 3rd Ser., 30 (1973): 449-66 (quote, 462). Harvey noted in his correspondence that he had begun granting free urban lots, but because statutes from this period have not survived we can only assume that the provisions were akin to another law of this kind passed in 1643. See “Virginia under Governor Harvey,” V/MHB 3 (1895): 29-30; HS, 1: 252. For archaeological reports on Kemp’s property at Jamestown, see Cary Carson, et. al., *Firbuation of Prevous Archaeology* (Williamsburg, Va., 2006), 63-67.

build stores yu intimate howe sick and languishinge a comon wealth yu have,” making clear the connection he saw between the commercial order and the civil order of the colony. But it was the nature of this connection that remained at the heart of the debate. The burgesses had not become staunchly anti-urban: while petitioning the governor and crown for a system of coinage in Virginia, they argued that one of its positive effects would be encouraging urbanization. But they were not prepared to see their trade funnelled through a single commercial and political entrepot where Harvey presided.86

The burgesses lost the battle in the assembly that spring, but the war continued, because just as Harvey arrived back in Virginia, some of his fiercest critics crossed the Atlantic the other way to face reprimand for their revolt. Being near the pulse of Whitehall action and in close consort with their mercantile connections in London, these men were able to turn their punishment into opportunity. The reinforcement of Harvey’s critics, combined with the onset of financial troubles for the governor, helps to explain the complicated events that unfolded in transatlantic commercial and urban policy over the next few years. Although Harvey had returned to Virginia with instructions to unify trade in Jamestown and erect a new statehouse there, his proclamation to this end did not receive a warm welcome in London. In July 1638 the Committee on Foreign Plantations reported to the Privy Council that it had received two petitions complaining of the plan and protesting that there were insufficient facilities to accommodate all the trade goods. Although they were not prepared to completely rescind the provisions, the committee members suggested that the Privy Council write Harvey a stern letter instructing him to get warehouses built as quickly as possible. With Harvey absent for just a year, the London trading community had proved able to swing Whitehall opinion partially behind their picture of precisely what the

86 JHB, 1: 60-61.
Jamestown waterfront looked like and how viable Harvey's young town was. As the governor himself said, they took advantage of "the priviledge of the distance between them and us, to bring to yo' Lor's such apparent falsityes and untruths."87

When he learned of the complaints, Harvey wrote a response in which he explained that trade restrictions had been affirmed by royal orders. Furthermore, he was "required to endeavour to reduce, and draw the people into Townes w'th as yet is by noe other meanes, and wayes to be effected then by confining the Trade to one place, w'th will draw merchants and Tradesmen to build and inhabit together." He shifted quickly and easily between the economic argument that a central port would bring prosperity, manufacturing, and cheaper goods and the political argument that it reduced the drunkenness and disorder of isolated rural life. For Harvey these two factors were tightly bound together - economic controls bred a responsible civic community and allowed for royal oversight. He summed up this perspective when he claimed that unless commerce was centralized at Jamestown "there must be rather a scrambling then [sic] a Trade" and that those who opposed him did so "w'thout regard had to the weale publique." According to the governor, ship captains and merchants were now discouraged from their enthusiastic urban developments at Jamestown by the hints that the provisions might be overturned, but in reality it was mostly Harvey who was suffering. His investments in Jamestown had led to overwhelming debts, and any temporary doubt about the town's future spelled personal financial trouble for him.88

Scholars have blamed Harvey's bleak situation simply on short-sighted attitudes in Whitehall. Although officials had forwarded the complaints about Jamestown to the colony,

87 "Virginia in 1638-39," 46-47; "Virginia under Governor Harvey," 29. Harvey was convinced that his enemies had engineered these "false" reports and petitions in London and used their connections to wrangle out of responsibility for deposing him. See "Virginia under Governor Harvey," 31; "Virginia in 1638-39 (Continued)," VMHB 11 (1903): 169-82.
88 "Virginia under Governor Harvey," 29-34. For Harvey's financial troubles, see Minutes of the Council and General court of colonial Virginia, 1622-1632, 1670-1676, with notes and excerpts from original Council and General court records, into 1683, now lost (Richmond, Va., 1924), 497-98.
the Privy Council reaffirmed their commitment to the principle of confining trade. A few months later, protests against Harvey rose enough to topple him from office once again – permanently this time – and Sir Francis Wyatt was asked to again take control of the colony. But the Privy Council instructed him to maintain trade restrictions and press on with efforts to force tradespeople into towns. Their only concession was to allow him to “choose some other place for the chief town & rendez-vous of the Governor” if he felt the conditions at Jamestown were as unhealthy and unhappy as they had been told. Political and economic control were not to be separated, however, and, to ensure an image of long-standing royal approbation of the town, even if Wyatt chose to relocate the capital it was to retain “the ancient name of James Town.” None of this indicates Whitehall opposition to urban development; in fact, it suggests considerable eagerness on the part of officials in London, which was subverted and redirected by a transatlantic battle for mercantile control.49

The early years of royal rule in Virginia did not silence the questions about urban development. Royal officials had not placed the same faith in corporate civic communities that company officials had, but they recognized that a colony without towns would be hard to govern, hard to defend, and especially hard to exploit for revenue. Martin and Bargrave were the first voices of scepticism about the corporate structure the company had set down, and although their plans were not adopted, their recognition of the need for a more centralized and hierarchical structure of government and settlement was prescient. Over the following two decades the tobacco boom enhanced the connections and influence of a select group of planter-merchants on the colonial council and they came to blows with crown officials (particularly Harvey) over precisely these issues. With so much profit at stake, and

49 “Virginia in 1638-39,” 54-57 (quote, 55). Audrey Horning steadfastly maintains that new resolute Whitehall opposition was directly responsible for overturning all the provisions for urban development that Harvey put in place. See Horning, “Verie Fit Place,” 147. Ultimately Wyatt decided in favour of retaining the capital at Jamestown and passed an assembly act to confirm this. See HS, 1: 226.
little imperial power available to control trade, Harvey was in an impossible situation. He recognized the potential of traditions of English urban commercial oversight in this fluid mercantile world and sought to build Jamestown as a hub for political and economic control. In this way his efforts not only revitalized the structures and spaces of Virginia’s only remaining city, they also maintained the connection between urbanity, civic institutions, and political authority in the colony, in a far more direct way than scholars have previously appreciated. It was only in response to Harvey’s assertion of authority at Jamestown that the Virginia elite embraced a county structure for the colony. Over the following twenty years county and town would become entwined in a complex dialectic spurred on by the economic and political chaos of war in the towns and cities of the mother country.

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Arriving for his second term as governor of Virginia, after the testy years of Harvey’s administration, and with the status of Jamestown hanging in the balance, Sir Francis Wyatt faithfully acted on his instructions. He codified the suggestion that the town be the “rendezvous of the Governor” into a law requiring him to reside in the town and subsequently obeyed it. He also saw that Harvey’s liberal building provisions for Jamestown were restated in the new laws of 1641. At the same time, however, his predominant goal during his brief second stint as governor was to heal the wounds in Virginia society – Jon Kukla has aptly described it as “something of a caretaking operation.” He quickly made peace with the leading merchant-planter faction who had unseated Harvey and began a series of reforms that gave increasing authority on the county courts. Though many of these new powers were
necessitated by Virginia’s rapidly expanding population, but they still boosted the local authority of the leading merchant-planters.\footnote{For Wyatt’s efforts at Jamestown, see Warren Billings, \textit{Sir William Berkeley and the Forging of Colonial Virginia} (Baron Rouge, La., 2004), 44; for his political rapprochement with the merchant-planter faction headed by Samuel Matthews and William Claiborne, see Billings, \textit{A Little Parliament: The Virginia General Assembly in the Seventeenth Century} (Richmond, Va., 2004), 22-23; Jon Kukla, \textit{Political Institutions in Virginia, 1619-1660} (New York, 1989), 99-105 (quote, 105).}

In the midst of these negotiations, in 1642, Sir William Berkeley arrived to replace Wyatt and was forced to immediately wade into the questions of local autonomy and authority that had plagued his predecessors. He had been given instructions identical to Wyatt’s, including encouraging urban craftsmen and channelling trade through Jamestown. However, it was clear that Wyatt had been right to realise that local government needed to be strengthened in the rapidly expanding colony and that towns were not going to instantly appear on the landscape to structure this expansion. Berkeley agreed to devolve more authority on the counties, but he made sure to retain direct control over them and cultivated allies to sit on the county benches from amongst leading colonists who were not connected to the merchant-planters who had overthrown Harvey. To reinforce his status with this other group of large planters, he also built his own rural estate some distance from Jamestown (his later-famous Green Spring plantation).\footnote{\textit{HS}, 1: 269, 303, 306; Billings, \textit{Papers of Sir William Berkeley}, 66.}

Nonetheless, tension between London merchants, colonists, and the crown increased through the Civil War period. Wartime chaos meant a free market where English and Dutch merchants competed for the tobacco trade, but the metropolitan merchants allied with Parliament resented the competition from Holland and did everything they could to exclude it, including yet another proposal to revive the Virginia Company. In these circumstances control of Jamestown remained as vital for Berkeley’s efforts to retain royalist control of the colony, as it had been to Harvey. Controlling a central commercial port would help Berkeley
to resist the dominance of Parliamentarian merchants who were now not only attempting to exploit colonists but also trying to overthrow the king. One Dutch merchant, David DeVries, recounted in a travel diary that he received a warm welcome from Berkeley at Jamestown and an offer to spend the winter in town with him. Berkeley reinstated Harvey's distribution of free lots to those who would build in the town whilst also ensuring personal patronage of the site by buying property, beginning work on a town house, and gaining direct control over the parish living. There is scattered evidence to suggest that he may even have attempted a form of incorporation at Jamestown to reinforce his patronage over the political constituency there. He began allowing the city a burgess in the assembly in 1645 (for the first time since the establishment of the county system in the early 1630s), and made provision for a formal twice-weekly market there in 1649, powers traditionally associated with corporate boroughs; one law passed in 1646 referred obliquely to the “corporation of James Cittye.” Robert Brenner has argued that Virginia became effectively an autonomous society in the 1640s, governed by Berkeley, trading extensively with the Dutch, and resisting the impositions of powerful London merchants. If this was the case, then the continued agenda of institutional and social development at Jamestown was at the centre of Berkeley's attempts to retain independent oversight of trade and free commerce with the Dutch.

That was certainly how things appeared to Parliamentarians in London, who grew frustrated with Berkeley's resistance as their control over England strengthened. The late

\[\text{\footnotesize \cite{62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87}}\]
1640s saw an upturn in discussions about the Chesapeake, not only in the halls of power but also in the pamphlet press. London merchants who favoured the Parliamentarian cause were particularly galled that Berkeley was continuing to persecute religious dissenters in Virginia and supporting his government by collecting duties on the considerable Dutch tobacco fleet that he allowed to weigh anchor at Jamestown. The status of Jamestown as a civic space and the economic organisation of Virginia came in for severe critique during these years.94

The London merchant community became closely connected to the circle of republican reformers led by Samuel Hartlib and John Dury, who were arguing in the summer of 1649 for a complete reorganisation of Virginia government. Coordinating the merchant-intellectual connection was Benjamin Worsley, whose name would later become synonymous with the first Navigation Act. Worsley proposed that Virginia ought to fall under the control of four commissions, two drawn from Parliament and two directly representing the corporation of London. He hoped to replace Berkeley, bar all commerce with the Dutch, and then reorientate the colony’s economy towards a diverse range of goods (including flax and rice) and manufactures (such as linen and liquors). The payoff would be more than financial because by this “increase of trading & Manufactures … Industry & Civility will bee Countenanced” where debauchery and idleness then reigned. Although Worsley’s proposals were not heavy on details such as town founding and made no mention of Berkeley’s seat at Jamestown, their focus on cultivating manufactures and urban craft industries indicated a close connection with a discourse of civic improvement – the plans would ensure “that publicke minded civill or good men, might have some power or Interest.” Though still drawing on the same urban civic tradition, this connection between economic development and civic government, instead of generating the loyal constituency

94 Brenner, Merchants and Revolution, 588-98.
that Berkeley and Harvey had sought, was designed to build independent commercial communities that could foster links with their fellow English boroughs that had recently thrown off the oversight of the monarch. Both Berkeley and his opponents were seeking to control the political and economic power structures of Virginia and both drew on civic traditions to achieve this end, but they each saw towns- and tradespeople having a subtly different relationship with power and authority in the colony.\(^95\)

Implementation of Worsley’s proposals never went much beyond appointing the commission and sending new Parliamentarian emigrants to the colony, but an idea as to how urban-civic-tradition-inspired government might be imposed on Virginia can be found in a 1649 pamphlet by William Bullock. Loosely connected to Worsley and the Hartlib circle, Bullock had begun making preparations to lead a company of colonists out to settle in Virginia. In *Virginia Impartially Examined* he laid out the business plan for his venture, which largely involved cultivating English wheat as a staple instead of tobacco. But he also expounded on a new constitution that he believed would right the errors in Virginia society typified by Berkeley’s administration. The resulting plan downplayed the importance of Jamestown and the centralisation of trade, preferring to emphasize the opportunity to build individual estates.\(^96\) Yet Bullock’s framework for colony-wide government took a form strongly reminiscent of an English corporate borough; it was to consist of an appointed council that annually selected a governor from within its ranks according to seniority – akin to a Mayor and Aldermen’s Bench – and this governor’s role was to be more heavily circumscribed than Berkeley’s commission specified. Generally Bullock argued that

\(^{95}\) “A Memo on the Virginia Plantations,” in Hartlib Papers, 33/2/22B; Benjamin Worsley to John Dury, Aug. 2*, 1649, ibid., 33/2/3A.

\(^{96}\) Bullock’s vision of diversified plantations was the result of his correspondence with the wealthy Virginia planter Samuel Matthews, who had maintained connections to the London mercantile world and was involved in the thrusting out of Harvey, see Thornton, “Thrusting Out of Governor Harvey.”
Virginia's government was like a building that had thus far been weakly joined together with only personal ties and that required sturdy institutional bonds rooted in "the quintessence of the people." While Bullock was not explicitly propounding a new urban vision for the colony, he was drawing on the civic commonwealth tradition of English boroughs, just as Worsley was doing when he spoke of Virginia being "civilly inhabited." These men were not just make a cynical grab for soils of Virginia once the King's failures had left Berkeley isolated, they were employing ideologically charged language and political philosophy about civic corporate power which had inspired them to overthrow the King in England and which they believed would reinvigorate his oldest New World colony.\footnote{William Bullock, \textit{Virginia Impartially Examined and Left to Public View…} (London, 1649), 17-23, esp. 17; Benjamin Worsley to Hartlib, Aug. 13, 1649, in Hartlib Papers, 33/2/2A. For a recent discussion of Bullock's work and the context of Virginia reform in the late 1640s, see Peter Thompson, "William Bullock's 'Strange Adventure': A Plan to Transform Seventeenth-Century Virginia," \textit{W/MQ}, 3rd Ser., 61 (2004): 107-28. For civic ideals and the coming of the English revolution, see Withington, \textit{Politics of Commonwealth}, chap. 8.}

Little of this would have mattered to the political and social topography of Virginia if it had simply remained on grubby print pages in London's inns and offices. However, Parliament did approve an expedition to the Chesapeake, giving radical merchants the chance to put their plans into action. Four commissioners, backed by a fleet, ousted Berkeley and replaced him with Richard Bennett.\footnote{For a brief summary of the arrival of the commissioners and surrender of Virginia, see Craven, \textit{Southern Colonies}, 253-58.} But as the pamphlets and epistles had implied, the radical faction saw deeper structural frailties in Virginia society that could not simply be solved by replacing the head of the body politic. As soon as Berkeley had surrendered control of the colony, the commissioners summoned an assembly and introduced an array of legislation, amidst which was an act "Concerninge townes and corporations." It was radically different from the proposals Harvey had pushed through. The preamble set a clear tone:

"Whereas nothinge will more Conduce to the good subsistance and welfare of this Countrey of Virginia in the peaceable government thereof, and the Increase and maintenance, of trade,
and Commerce, then the gatheringe, and settling the people, and Inhabitants into townes,
And Corporations.” Politics and economics were bound up neatly here, just as they had been in Worsley’s proposals. Berkeley and Harvey had also sought to control commerce through a loyal town, but the real difference in philosophy can be observed in the verb use – where Harvey had talked of the need to “reduce” people into towns, the new legislation spoke of “gathering, and settling.” This new proposal made no mention of Jamestown, where archaeological evidence suggests that the only urban progress had actually occurred, and instead simply made it legal for the people “of any, or Everye Countye, to agree, and Joyne amongst themselves in a societye, and Incorporated bodye, or bodyes in one, or more places.” The emphasis was upon creating political units that could control trade in each county, rather than forcing people to huddle together at Jamestown. They were empowered to yearly elect a mayor, a sheriff, twelve aldermen, and an unlimited number of free burgesses. This corporate body could “Injoye such priviledges and freedoms as any the Incorporated townes of England doe,” including making by-laws and controlling the market through grants of urban freedom. This legislation, coming fast on the heels of the Parliamentary takeover, was intended to undermine the political and commercial position of Jamestown and spread mercantile control around the colony. The London merchants leading this assault probably counted on being able to more easily influence these independent commercial communities, especially if they could be peopled with particular allies from each part of the colony. Even those who were not already allies might be counted on to become so, provided the experience of acting as civic officials had the same impact on their political persuasions and interests that it had had in many English boroughs and that Worsley predicted when he spoke of “publicke minded civill or good men.”

By one of these measures the act succeeded – within a couple of years there were reports of failed businesses and bankruptcies at Jamestown. However, the corporations that the 1652 plan proposed never appeared. Very little evidence survives from the Protectorate period in Virginia with which to gauge the debate over urban development, but the fact that no corporations survived until the Restoration seems to suggest that they never gained any momentum. Despite Worsley’s grand plans it appears that the government in London was satisfied enough, and preoccupied enough, not to meddle in Virginia during the remainder of the decade. Metropolitan merchants were equally distracted by war with the Dutch and efforts at conquest in the Caribbean. Throughout the decade trade in the Chesapeake remained confused, with continued Dutch influence and rival English merchant-planter networks vying for a share of the market. Given this instability no group of colonists or Atlantic traders could muster the will, confidence, or capital to take the burgesses up on their offer. Besides which, diversification never took hold either, so the structural dynamics of the tobacco trade still meant that it could be carried on at individual planters’ wharves, and the reality of the Chesapeake’s riverine landscape was obviously not changing.100

County government, by contrast, anchored its position on the Virginia landscape during the 1650s. Six new counties hived off from older ones, and this reduction in county size, even though it was paired with population increase, made it easier for the network of local elites to oversee trade and foster commercial connections with smaller planters, effectively bypassing the need for corporate trade controls. The commercial legislation that was approved in the later 1650s located all new controls in the county system rather than in Jamestown or in a series of independent boroughs. In 1655 the assembly made provision for county leaders to appoint marketplaces in their jurisdiction, and they were strongly

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100 Carson et al., “New World, Real World,” 73.
encouraged to cluster public buildings and services at these sites, but no mention was made of incorporation or resident tradesmen. It was clear that mercantile control was still viewed as a bulwark of civility and the common good, but with the county system now firmly entrenched, any urban corporate development would have been a threat to the existing fault lines of political topography that had been scored across the tidewater landscape. Now corporations could never be the seeds from which commonwealth sprouted in Virginia, and towns would always be threatening rival jurisdictions that were placed atop the existing garden like an ornamental boulder.  

The county marketplaces proposed in the late 1650s represented one end of an arch of urban debate that began with Sir Edwin Sandys’s ambitious reorganisation of the Virginia venture in 1618, and moved through Harvey’s ambitious plans at Jamestown and the audacious effort to incorporate boroughs across the colony in 1652. Virginia scholars have focused attention on a much broader arch of local government that originated in the 1634 decision to establish county courts. Because the county system endured and became the building block of modern local government in Virginia and the United States more generally, they have been more than justified in this pursuit. However, this approach has overlooked the fact that in contemporary England the most vital debates about local government revolved around corporations and that therefore we must look at the competition between the repeatedly frustrated urban development projects and the county courts to understand how the political culture of the Atlantic world was being played out in the early colony.

Throughout these early years, town development was never simply a theoretical question of defence, diversification, or devolution of political and economic power – it was

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101 HS, 1: 412, 476. For the sequence of county formation, see Michael F. Doran, Atlas of County Boundary Changes in Virginia, 1634-1895 (Athens, Ga., 1987), 6-15.
always a complicated balance of these considerations. Because of the traditions of English 
boroughs, the prospect of town development was seen as a means of generating an efficient 
and civic-minded political institution that could regulate trade fairly for the common good. 
However, when the common good was a hotly debated topic, the question was what end this 
urban influence would serve. Harvey’s plans represented an attempt to harness Jamestown as 
a civic community – with himself at the apex – and use this position to oversee trade and 
secure royal revenue in the face of an aggressive mercantile faction. When that faction won 
out in England and executed the king, they were free to propose a very different urban 
vision for Virginia through which their allies could accrue civic powers and thus anchor their 
trading connections across the colony with little interference. Although the towns 
themselves did not appear, the burnishing of county elites’ political and economic status 
during the 1650s changed the complexion of Virginia’s nagging urban problem. Faced with 
these altered circumstances and a new urban ideal in England, Governor Berkeley pursued a 
very different urban course when he returned to power in 1660.
Chapter Two

The Restoration Urban Vision, and its Discontents, in England and Virginia, 1660-1677

On many unremarkable days during the 1650s, William Berkeley tended to his impressive Green Spring plantation, keeping a low profile in Virginia politics. He watched as the work he and Harvey had put into Jamestown gradually crumbled away. He undoubtedly knew about the 1652 plan to propagate corporations across the colony, its quick demise, and the perpetual itch for marketplace controls amongst the county elites. He knew more than enough about the Navigation Act that now required all tobacco to be shipped to England, and knew just enough about the ways to bypass the restrictions by dealing with merchants from New Netherland. Finally, in the spring of 1660, as the new crops began to sprout at Green Spring, Berkeley’s political career also began to show signs of new growth. Although Charles II had not yet been restored to the throne in England, a return to monarchy was looking increasingly likely, and besides, Berkeley was the best candidate left to guide Virginia in these uncertain times. Toward the end of March, he resumed his gubernatorial seat and almost immediately resurrected his agenda for urbanisation and control of trade.¹

However, circumstances in England had changed. Even with the restoration of the monarchy, the Parliamentary-era system of mercantile restrictions remained – largely owing to the new king’s desperate financial straits. Just as significantly, the new regime dramatically adjustmented the relationship between the crown and England’s urban corporations in the wake of the Civil War. After visiting London and rubbing shoulders with the new royal court in the early 1660s, Berkeley realised that he could not simply continue fighting the battles of the Civil War era. The town plan for Jamestown, which he had inherited from Harvey, of a

¹ For Berkeley’s enforced retirement, see Warren M. Billings, Sir William Berkeley and the Forging of Colonial Virginia (Baton Rouge, La., 2004), chaps. 7-8. For the urban plans in interregnum Virginia, see above 95-102.
diversified civic hub that could dominate colonial trade in a free market and fight off the influence of overweening London merchants was no longer going to sit well with the royal imperial vision. In the first place many London merchants had emerged from the crisis unscathed, despite their prior political loyalties, because they had changed sides at the opportune moment and greased their dramatic change of heart with a hearty purse of change. Secondly, there was a general mood of scepticism in Whitehall about traditional urban corporations – many courtiers were inclined to blame England’s cities for the radical politics of the 1640s and shared Thomas Hobbes’s view that they represented “many lesser commonwealths in the bowels of a greater, like worms in the entrails of a natural man.”

This chapter and the next will explain how the intensification of empire and the changing nature of the town during this period were caught up together in the English Atlantic world. Berkeley astutely trimmed his sails to match this new English vision and attempted to put it into practice in the colony. However, he faced the same challenges that dogged his king in England. People familiar with the kingdom’s rich civic traditions were not prepared to allow them to be eroded by royal writ and warrant. Berkeley’s Jamestown plans failed before the King’s, because he could not convince colonists to spend the greater sums of money required to construct this new vision from scratch. The expensive and exclusive town became a target for anger and resentment and, when rebellion broke out in the colony in 1676, some of the rage was directed against the Restoration urbanism, and Jamestown was burnt to the ground. Eventually, though, the Stuart pretensions to absolute power over England’s towns fired rebellion in the mother country too.

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Although William Berkeley had kept a studied silence about English politics and mercantile policy during the later 1650s, others had not been so circumspect. A number of complaints from Virginia had reached the offices of the Protectorate in London. The main grievance was the Navigation Act. Passed in 1651 at the instigation of London merchants, the act stipulated that all colonial exports must be carried to English ports by English merchants. It was designed to cement the dominance of the capital’s mercantile faction that Berkeley and Harvey had been fighting against since the 1630s. Though rarely enforced throughout the decade because of wars and domestic disputes in England, resentment and complaint about the act was widespread. Anonymous epistles that arrived in London argued against the restrictions and cited the bleak conditions in Virginia. Without the profits from trade with the Dutch, they claimed, no grand projects could be undertaken, the western expanses of the colony could not be mapped, and the plantations would run short of labour because only Dutch merchants could supply them with African slaves. If they were allowed to trade freely, the long-term return to England would be infinitely greater. Beyond simply petitioning in London, new efforts to organise county-administered marketplaces in each tidewater locality during the late 1650s were also part of the effort to seize back local control over trade and engage on an official and organized level with the Dutch merchants visiting the Bay.

As much as colonists might have grumbled, there was probably little confidence in Virginia that the mercantile system would be set right while Cromwell or Parliament ruled.
the empire. Berkeley and the numerous royalist émigré planters in the Chesapeake merely strengthened the extensive, but technically illegal, mercantile connections with the Dutch commercial empire. In early 1660, however, prospects for undoing the Navigation acts and legally establishing free trade began to look decidedly rosier. The son of the late Charles I, Charles Stuart, arrived in Dover on May 25, 1660, and within a few days he made a triumphal entry into London to reclaim the throne as Charles II. Almost certainly standing amongst the jubilant crowds on the streets of the metropolis was merchant John Bland. Although Bland had not explicitly opposed to the Protectorate, he had endured his share of commercial struggles with Parliamentary officials, and he was a close business associate of royalist merchant Andrew King, who gained office during the Restoration. The Bland family held land and mercantile interests in Virginia and had close ties to Berkeley, but John also traded in the more prestigious Spanish market and had few connections with the upwardly mobile radical merchants who had fired the revolution and tried to gain a stranglehold over colonial commerce. He, thus, took a dim view of the strictures of the Navigation Act. The king’s return offered an opportunity to turn back the commercial policies of the merchant faction that Bland and his Virginia partners so disliked, and so he launched a thorough and scathing attack on the Navigation Act. However, it was also the most comprehensive defence of traditional civic urban development in Virginia that the period would witness. He ensured that town-building immediately returned to the colonial agenda.  

Bland began by attacking the men who had formulated the original Navigation Act, claiming they were naive and focused on private profit – a notable contrast with the civic

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ideal. Mercantile restrictions, he claimed, would ultimately strangle the colonial economy and actually undermine royal revenues in the long term. Bland advocated a new civic plan that he claimed would serve the common good rather than the private interests of those who advocated the Navigation Act. The key feature was to be a completely free trade, but this was to be in the service of making Virginians “industrious, striving with each other to gather together in Societies, and building of Towns.” In Bland’s thinking, then, towns were communities of men competing for business but also sharing common interests and negotiating in a transparent marketplace where everyone would be encouraged to act fairly and industriously. He used the experience of rapidly developing English ports such as Dover and Deal, and New Amsterdam, to demonstrate that “the concourse of shipping” was the key to building these urban communities and fostering “ingenious men” who could add value to basic commodities. Bland’s ideal, then, was that the crown promote, instead of the Navigation Act, a free trade that was restricted to certain ports in each river where fees could be collected but where trades and crafts would also develop, and societies and civic institutions could foster common interests and social order. Bland was not overly acquainted with Virginia’s returning governor, but he had neatly captured the essence of Berkeley’s former vision and the hope of many planters that the new king might resurrect those plans.

While Bland was formulating his treatise in London, Berkeley was engaged in the far more practical business of reestablishing his powers in the colony. But once those formalities were concluded, he immediately began rebuilding the urban system he had been forced to abandon in 1651. During the spring assembly session, he got approval for a new commercial deal with representatives from New Netherland because he shared Bland’s optimism that a new English regime would allow greater freedom of trade. By October news of Charles II’s

restoration, along with Berkeley’s new commission as governor, reached the colony, and with a firmer grip on the levers of power Berkeley began comprehensive changes. Trade was once again restricted to the town. The footpath and horse trail that crossed Powhatan Swamp onto the island were made passable again so that people could find their way to the town, and, even more ambitiously, Berkeley extracted permission to begin work on a new statehouse for the capital. Jamestown was emerging from its stupor, and its civic power, and that of other potential towns, was recognised once again when the General Assembly reconvened in the spring of 1661. They rewrote the rules of representation in the colony and guaranteed the city its separate burgess, promising simultaneously that if another town could reach one hundred tithables, it too could send a delegate to sessions.6

The shabby state of Jamestown was not the only thing on the governor’s mind as he resumed his position in Virginia in 1660. Berkeley inherited an economic crisis. The colony still relied exclusively on tobacco for its transatlantic trade and consequently its supply of finished goods. However, with its population rapidly expanding over the past two decades and vast new tracts of land being brought under cultivation on the Middle Peninsula and Northern Neck, the output of tobacco was skyrocketing and price was plummeting. Diversification away from the weed had gone from being an advisable idea to a full-blown necessity. Berkeley himself was already working on new products at his Green Spring plantation, and he returned to power with a plan to introduce these new crops, citing the “Incertaine vallewe of tobacco” and “the unstapenes of the Commoditey.” Amongst Berkeley’s leading candidates as Virginia’s alternative to tobacco were “Iron, Silk, flax, hemp, and Potashes.” The crucial detail about these items was that they would all require secondary processing and manufacturing before they ever left the colony; iron had to be smelted, silk

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spun, flax and hemp woven, and potashes boiled. If Jamestown could be redeveloped as a major port of entry for the colony, then it might also provide a home for these crafts and skills, just as Harvey had attempted to foster ironworking there in the 1630s. Equally, if all tobacco were traded through Jamestown, it might reduce the total tobacco output and raise the price of the weed relative to the new staples also being bartered there. It is important, however, not to overstate the connection between Berkeley’s diversification goals and his ideas about urban development and mercantile control. The plans for the statehouse at Jamestown and shipping restrictions were kept separate from the diversification efforts in the 1660 and 1661 assembly sessions, and the 1660 act for the promotion of the leather and linen industries specified that facilities should be built in each county, reflecting that fact that most manufacturing in England was still a rural pursuit during this era.  

Although Berkeley left us few hints as to his precise scheme upon his return to power, his actions imply that he hoped to rebuild the urban structure that had been abandoned. In a close parallel to the system Bland was then suggesting in London’s halls of power, Berkeley was building an active free port town that would remain under his guidance and supervision and that might cultivate trade in new goods and restrict the tobacco crop. With the groundwork in place by April 1661, Berkeley received the blessing of the assembly to sail for England and present his reinvigorated proposals, and the burgesses’ appeals against the mercantile system, to the newly restored monarch. 

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10 Billings, Sir William Berkeley, 133-35.
Both Bland and Berkeley had misread the mood in the metropolis. The machinery of state that had been erected during the 1650s would not be easily dismantled. Although Charles II brought some fiercely loyal allies back from exile and appointed them to senior positions, he also made room for plenty of those who had served under his enemies. London merchants and financiers negotiated this transition because their money and commercial knowledge made them invaluable allies when Charles returned with a severely depleted budget and a less-than-secure grip on power. The preeminent figures in this group were Martin Noell and Thomas Povey. These two friends had risen rapidly through the ranks of the metropolis during the 1650s, making huge amounts of money from the disrupted and disorganised trade in the Caribbean and as customs farmers for the Protectorate – Noell was the most prominent and wealthy merchant in all of interregnum London. They had also demonstrated their value to the state by lending vast sums to fund Cromwell's conquest of Jamaica and equip the new Caribbean colonies with labour. As a result, when they agreed to welcome the king back to England, he was more than happy to find a place for them within the new state system. Men such as Povey and Noell had a much larger financial stake in the Navigation system than Iberian merchants such as John Bland who dabbled in colonial commerce, and they were not about to surrender that interest. Parliament approved a plan for a new royal Navigation Act within a couple of months of Charles II's return to England, and from that point onward Berkeley's vision for Jamestown was bound to change.¹

Other changes that were also afoot in the early Restoration years would have just as profound an impact on Berkeley's plans. Although Charles II had been swept back to power on a wave of royalist enthusiasm in 1660 and largely assumed the legal fiction that he had

been king since the day of his father’s death, there were constitutional questions about the nature of his new relationship with the kingdom. Charles had confirmed all the land transactions of the interregnum through his declarations at Breda, but he had not settled the issue of royal charters, many of them to urban corporations, that had been superseded by Parliament over the past decade. Many former Parliamentarians and radicals had withdrawn from the corporate bench in England’s boroughs, and most cities were reliably loyal by the time of Charles II’s return, but simply continuing the realm’s urban government under their interregnum charters would engender a crisis of legitimacy. Furthermore, royalists who returned to England with Charles well remembered the role many independent boroughs had played in overthrowing his father. William Cavendish, Marques of Newcastle, counselled that “Every corporation is a petty free state against monarchy” and that he had to grasp the opportunity to “reduce and keep them in their due subjection.”

In 1661, pressure was building in England to address the issue of the kingdom’s corporations. Just a few months after Berkeley arrived in London, Parliament finalised “An Act for the well Governing and Regulating of Corporations” in December 1661. The Corporations Act, as it was known, provided for a major overhaul of the kingdom’s boroughs. It allowed the king to appoint commissioners in each county who would inspect every chartered borough, administer the monarch’s Oath of Allegiance and Supremacy to all town officers, ensure that they had all recently received the Anglican sacrament (to weed out radical nonconformists), and expel any man who refused to comply with these strictures. Although many of the expulsions were approved by the majority of England’s corporate

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officeholders, the shift toward central control and royal authority in boroughs was clear. More than a third of all corporate officeholders were removed.\textsuperscript{13}

Nor was it simply the city governments that were changing. The civil war and disruption of the past two decades had damaged the very fabric of most English cities. With the Restoration came new waves of rebuilding and improvement, focused on different architectural styles and a new class of wealthy urban elites. The wholesale gentrification of London was obviously given a boost by the Great Fire in 1666, but even before that the Privy Council registered alarm at the rapid rate of building, especially outside the ancient city walls of London, toward Westminster. The city Berkeley returned to after a twenty-year absence was undergoing a dramatic change of governmental structure and visual character.\textsuperscript{14}

Berkeley drafted new proposals for the colony and presented them to the king just as the Corporation Act was approved and while the commissioners were fanning out across England to survey the boroughs. While he wrote and lobbied he also naturally gravitated into the circle of his brother, John, who had recently married into the city’s merchant community. Berkeley appears to have been able to win the support of a number of his brother’s friends and relatives for his plans for Virginia, but in the process he also certainly learned the subtleties of the new king’s attitude to cities, boroughs, and commercial policy.\textsuperscript{15}

Furthermore, Berkeley likely had access to another plan that leading merchant and colonial policy maker Martin Noell had drafted both to coincide with Berkeley’s hearing in Whitehall and as a riposte to John Bland’s earlier proposal. Noell’s plan probably appealed to

\begin{footnotes}
\item[13] Halliday, \textit{Dismembering}, 85-105. For statistics of excluded officeholders, drawn from a sample of thirty-six towns, see ibid., 95.
\end{footnotes}
Berkeley because it pointed out that Virginia had fallen behind New England and Barbados purely because of a lack of towns, despite being superior in natural resources; it also contended that “experience hath shewed us in all times, that [town development] hath bin the first ground, and Policis, upon which all prosperous Colonies and Commonwealthes have Subsisted and advanced into greater Dominions.” These were attitudes that agreed with Berkeley’s. However, the details of Noell’s proposal veered away from the commonwealth ramifications of towns, and their influence on the prosperity of the colony, to argue that urbanity was really necessary for “the Increase and Regulation of Trade and the Benefitt of the Crowne, and the avoyding fraud in the pacements of his Majesties Customs, and publick Dutyes.” Such aims were, in the reactionary, royalist London of 1661, the indisputable definition of the public good; any who could not be convinced, Noell insisted, were seeking private ends. He proposed that the king simply mandate that trade be confined to one or two locations in every river; only those who could afford to develop commerce at the sites (more than likely the transatlantic merchants themselves) should gain “severall Privileges and immunities.” At face value Noell’s plan looks similar to those promoted by Harvey in the 1630s and by Bland more recently, but the devil was in the details. This royally administered and merchant-led scheme represented a shift in Atlantic geopolitics. The towns Noell had in mind were not the independent boroughs that London merchants had advocated in 1652, but neither were they gubernatorial strongholds or centres for the county elites. Instead they were to be nodes of royal control, rooted in a close alliance between the crown and a narrow oligarchy of rich Atlantic merchants, just like the Anglican royalists who had recently been cemented in boroughs across England by the Corporations Act.  

16 “Proposals concerning building of Towns,” Egerton MS 2395, f.666, British Library. There is no definite evidence of authorship on the manuscript, but cataloguers at the British Library believe it to be in the handwriting of Martin Noell. The only other likely candidate would be Thomas Povey, who appears to have
Sir William Berkeley’s response to these developments was decisive. By the end of January 1662, he had composed and printed *A Discourse and View of Virginia*. Its proposals would have been familiar to those who had known Berkeley’s dealings in the colony: they were plans for ambitious diversification into a variety of new goods and commodities, and an encomium on the resources of the colony. Berkeley, who still harboured ambitions of getting Virginia exempted from the Navigation Act, also outlined his vision of free trade. He hinted that towns might play a role in making free trade profitable in Virginia when he noted that if the Dutch controlled the colony they would have made it into the “mart” of America. However, the pamphlet did not explicitly advocate any urban plans. In fact, it worked hard to make the colony seem like an organised rural community free from troublesome politics. At one point Berkeley rehearsed the family names of colonists, making connections to English gentry lines, in order to prove that they were “as good families as any Subjects in England.” Even his appeal for more, and better qualified, labourers and craftsmen suggested that those who currently led the colony were neither craftsmen nor manual labourers but rural investors who, “like Architects ... can design excellent buildings, but have not the Skill to Square their timbers, or lay their bricks.” Diversified production, then, was not going to turn these rural gentlemen into overwhelming, middlingburghers of independent corporations; rather they would be gentry managers of colonial development, very much akin to those Charles II was then appointing to reform England’s towns. Moreover, instead of focusing on making Virginia a commercial hub and securing separate and distinct local privileges, Berkeley framed his plans as a means to help the colony’s loyal planters produce goods and commodities “to the Wealth, and Glory” of “our Nation.”

foo1 gathered the collection of documents that have survived in Egerton 2395, and his authorship would not alter the argument made here.

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The explicitly urban part of Berkeley’s vision for Virginia was actually repackaged and separated from the agenda of commercial and industrial development. The governor did not even head the project, preferring instead to hand off responsibility to the Reverend Roger Green, a clergyman who had travelled from Virginia to London with Berkeley. The result was an advice narrative originally presented to the Bishop of London but then published under the title *Virginia’s Cure*. Ostensibly the epistle was intended to propose ways to address the “unhappy State of the Church in Virginia,” but Green believed that at the heart of this problem lay “our People’s scatter’d Habitations.” He painted a verbal picture of plantations stretched out along the many rivers of Virginia and colourfully described the colonists’ remoteness and failure to gather for regular church services as robbery against God’s just right to homage. Such robbery had put Virginians “under the curse of God.” Green followed this with a list of more practical problems, including a lack of “Christian Neighbourhood, or brotherly admonition ... administrations in Sicknesse, and Distresse,” and “the Benefit of Christian and Civil Conference and Commerce.” The “civil commerce” that Green had in mind was not trading barrels of tobacco but exchanging words and advice. He explained that without towns the whole system of informal oversight and management of people’s social and moral actions was impossible.18

Green’s sentiments deliberately emphasized not economics and trade – he said it was not within his expertise to comment on these “Temporal” issues – but the social disorder that resulted from scattered settlement. Instead of a commercial hub at Jamestown, he advocated for a network of towns, with one in each county across the colony. Instead of commercial controls and stimuli to force trade into towns, he was advocating a collection

throughout the parishes of the kingdom to fund the construction of buildings. The primary focus, then, was upon developing the built environment of a modern town, rather than generating the independent civic identity that was the root of so many English corporations. Green’s suggestions actually had more in common with the building appeals that towns around England launched in the seventeenth century, trying to attract sponsorship to erect new town halls. Furthermore, he laid out in precise detail how the urban spaces should be used. All great planters with more than a set number of servants were to be “enjoyed” by the king to build a house in their local town and resort there weekly in order to attend church services and public events. This was strikingly similar to the pattern of urban habitation by English county leaders in the Restoration and early eighteenth century.10

Green’s proposals contained ties to the commonwealth civic traditions of the early seventeenth century. He suggested that besides enforcing morality, the confluence of people would facilitate “raising Companies of the best qualified, and most able persons to combine in Designs, most advantageous to their own and the publick Weal,” and they may eventually “incorporate into Societies for this end.” The civic virtues that corporate life had been seen to provide in pre-Civil War England shaded easily into the moral virtues that Green was advocating when he spoke of towns promoting “the comely order of the Christians Government, the amiablenesse of their Conversations, their Meeknesse, Humility, Charity, their Righteousnesse, shining as the Light, and their just dealing as the Noon-day.”20

These were familiar claims to the Restoration audience, but such cohesive self-aware communities, conscious of their interests and public duties, were the “petty free states” that William Cavendish had warned against. Green was careful to counter this image by framing

20 R.G., Virgina’s Care, 8, 11.
his whole appeal in a paternalistic structure, describing it as a proposal for “reducing ...
Planters into Towns,” in notable contrast to the 1652 town act’s language of “gathering and
settling.” Also, as already noted, only the great planters were to be required to build town
houses, thus ensuring the better sort formed the bedrock of these communities. The whole
purpose of Green’s design was to make planters more easily managed and morally guided,
rather than empowering them. He wrapped up this picture with an agricultural metaphor,
comparing Virginians to “plants [that] now grow wilde in that Wildernesse” and proposing
that his plan would make the colony “like a garden enclosed, like a Vineyard fenced, and
watch’d like a flock of Sheep.” Such oversight allied well with the order and stability that
Charles II was hoping to establish in England. When Green spoke of “well governed” and
“well ordered” towns, he was rehearsing sentiments very much after the king’s own heart.²:

Once Berkeley’s urban agenda was thus subtly realigned to Restoration ideals, the
crown was happy to consent to this aspect of his plans. In September 1662, shortly before
the governor left London to return to his colony, he received new instructions reflecting this
royal approval of town building. In fact, town founding was the first detailed item in the
instructions. The order represented a combination of Martin Noell’s plan with Roger
Green’s; it called for one town on each of Virginia’s rivers as Noell had proposed, and also
insisted that Berkeley and the royal council were to contribute to the development of
Jamestown by each building a new house there, reflecting Green’s vision of elite urban
leadership. Curiously, the instructions also cited, as a guide, Virginia’s “Neighbors of New
England, who obliging themselves to [build towns] have in few years raised that Colony to
breed wealth Reputation & security.” New England’s towns hardly reflected the new
Restoration urban vision in England, but in all likelihood this advice was rooted in the

²: Ibid., 8, 13, 15. For the language of the 1652 act, see above 99-100.
mercantile experience of members of Charles’s circle who traded with New England and was primarily about appealing to Virginia colonists’ pecuniary interests. The elitist ideal about who should build in the tidewater’s new towns certainly did not match the compact and relatively egalitarian structure of New England towns. Whatever Whitehall officials had in mind, however, would have to be parsed and debated in the colony. Most Virginians did not have access to Cavendish’s cynical assessment of urban politics or a detailed knowledge of the recent building and development that Berkeley had navigated in Restoration London. Because they lack the English Restoration context to fully grasp the King’s new instructions to Berkeley, how they would respond to this new urban vision remained unclear when the governor boarded his ship to return to the colony.22

Berkeley had scarcely finished unloading his trunks and crates at Jamestown in November 1662 when he called for a new assembly session. When the burgesses gathered the following month, he did not hesitate to put his instructions into operation, proposing legislation for a grandiose redevelopment of Jamestown. Unfortunately we have no record of their debates and disagreements during those short winter days at the capital; all that survives is the legislation eventually passed. Considering that Berkeley’s proposals represented a new kind of urban development for the colony and the fact that later sources would completely disagree about which sections of society opposed the plan, this gap in the records is all the

22 Billings, Papers of Sir William Berkeley, 177-78. There is a wealth of controversy over the characterization of town government and life in early-seventeenth-century New England, but few would claim that it was as consciously oligarchical as the structure proposed for Virginia in Berkeley’s new instructions. For example, see Kenneth Lockridge, A New England Town: The First Hundred Years (New York, 1970); David Allen Grayson, In English Ways: The Movement of Societies and the Transferal of English Local Law and Custom to Massachusetts Bay in the Seventeenth Century (Chapel Hill, N.C., 1981); John Frederick Martin, Profits In The Wilderness: Entrepreneurship and the Founding of New England towns in the Seventeenth Century (Chapel Hill, N.C., 1991).
more lamentable. The surviving acts, however, do allow us a glimpse at how Berkeley and his burgesses interpreted their instructions.\footnote{Billings, *Sir William Berkeley*, 174-75.}

Firstly, the General Assembly placed great stock in the royal approbation for the new town building project. They claimed they were enacting the legislation not because of the clear benefits to their own security and profit but because it had been “encouraged by his majesties royall commands, to which in dutie wee are all bound to yeild a most ready obedience.” In a subsequent letter, leading councilor Francis Moryson cast doubt on whether the king had ever officially ordered the town plan (rather than just approving of Berkeley’s ambition). By beginning the legislation with this preamble, however, Berkeley and the burgesses were consciously attempting to make the redevelopment of Jamestown mirror as closely as possible the form of an explicit royal grant or charter to a corporate town. The town was to be a visible symbol of the colony’s connection with crown authority.\footnote{HS, 2: 172, “Francis Moryson to Lord Clarendon.”}

The main thrust of the legislation was unlike any prior town plan in the Chesapeake. Instead of gathering people together at new urban sites using commercial regulations, the act outlined an architectural town vision. Despite the fact that some buildings still stood at Jamestown, including the one where this legislation was drafted, the “towne” was apparently to consist entirely of thirty-two new fully brick houses, each “forty foot long, twenty foot wide ... the roofe to be fifteen foote pitch and to be covered with slate or tile.” Specifying completely brick houses was a bold move; although brick was being increasingly used in English towns to prevent fire, it was still a rare commodity in Virginia, and archaeologists have repeatedly shown that the decision to build in brick was as much about status as practicality. The houses were also to be arranged into a neat square design specified by Berkeley. In the late 1610s the Virginia Company had gestured toward sturdy houses and
orderly streets, but no urban plans had ever previously achieved this level of specificity. The legislation even covered the details of the labour involved in building each structure and specified wages and time limits for each house undertaken. All of this architectural detail suggests that Berkeley intended to maintain close oversight of the new town. He had in mind a particular urban scene he was trying to recreate. The act made this oversight easier by mandating that urban development was to be funded through a general levy of thirty pounds of tobacco per poll, but managed by the justices of each county bench who were more beholden to the governor, and by other wealthy colonists who could agree to undertake the construction of an individual house. The object was thus to create a town that reflected the latest trends that Berkeley had observed in London – dominated by large, expensive building, and under the direct control of himself and his leading colonial allies. This town of thirty-two brick houses orientated around a square would box out the existing structures and the building style they represented – the act prevented any new wooden houses being built alongside the new homes – and reflect an elite urban vision. 25

The most obvious discrepancy between the finished act and the plans debated in London earlier that year was the single-minded focus on Jamestown. Although the act provided that in future years money could be raised for the erection of towns along the colony’s other rivers, this was something of an afterthought, relegated to the final paragraph and written in such a way that any development along these lines would have required further legislation to get off the ground. 26 Ostensibly, reluctance to establish other towns reflects Berkeley’s former bias in favour of a central mercantile entrepot for the entire colony.

26 The act failed to actually specify precise locations for these future additional sites. Furthermore, although it provided that trade in certain counties would be restricted to Jamestown, it made no similar determination about which counties would fall under the aegis of any other new towns. These regulations would have necessitated further legislation. Henning, Statutes, 2: 176.
through which he could control commerce, in contrast to Noell's ideal of a number of
convenient trading centres on each major river. However, the mercantile restrictions in the
act only demanded that trade on the upper James River, not commerce for the whole colony,
be channelled through the town, so the restriction to one urban centre was not entirely
about economic power and influence. The whole tenor of the act was actually about unifying
the colony in a cultural rather than economic orbit around Jamestown, as its requirement
that each county contribute to the cost and management of one new town house in the city
suggests. This was not simply a device for spreading the costs of construction around the
colony, which could have easily been done just by collecting the thirty pounds of tobacco
from each colonist and pooling them in a central fund. The county-centred plan was about
creating a direct connection between each local community and the capital city. Jamestown
was to be Virginia in miniature. In fact, even when building progress in the first year proved
slow and the burgesses did decide to pool the money and build a limited number of houses
each year, the plan remained to eventually divide the finished properties amongst the
counties. Because each county’s leaders would be responsible for managing this property,
they would also be the most likely to visit or rent the site, allowing the local elites to be tied
directly to the governor and royal authority through urban space. The burgesses themselves
were at least partially responsible for developing the plan for county control of construction,
but Berkeley admitted later that he had happily consented to their desires. The plan offered
an urban stake to those aspiring planters who represented their counties in the assembly but
who could not alone shoulder the cost of building a whole town house. In this sense it
allowed Berkeley to cultivate a broad-based network of county leaders tied directly to him.
This development reflected perfectly the vision that Robert Green had elucidated in
*Virginia’s Cure*; it was also precisely correlated with the contemporary process in England
whereby rural aristocrats in the Restoration era came to encircle the royal court at Westminster and lesser county gentry established smaller versions of this elite circle by gravitating to their local county town during particular seasons of the year.27

If we consider the legislative context of the 1662 act, this county-centred vision makes even more sense. In the early 1660s, Berkeley assented to new laws that strengthened the position of the county bench while also bringing it more closely under gubernatorial control. During the same assembly session when the Jamestown plan passed, the burgesses also legislated to allow Virginia’s counties to make their own bylaws, and this law came immediately before the town act in the session’s legislative record. For the first time in Virginia, the assembly was articulating a vision of local government in which counties and towns were complimentary institutions. Rather than establishing the network of trade hubs that Noell and his colleagues had envisioned, Berkeley was constructing a political centre for Virginia along the lines of Restoration London and allowing county leaders to exercise more decentralised control across the rest of the colony.28

Under the new urban plan, secular county governments were to orbit around Jamestown, but there was also a parallel centralisation of Virginia’s ecclesiastical structure. In the late-1660s, the king, in concert with Gilbert Sheldon, Archbishop of Canterbury, had plans drawn up for the establishment of an American bishopric based in Virginia, with a Cathedral at Jamestown. It is not clear whether Berkeley knew or approved of the plan, and it was far from popular with Virginia elite who were being asked to invest in the town, but it almost certainly reflected a vital second part of Roger Green’s vision of urban development in Virginia as a means of overseeing religious practice – Green had first presented his ideas

27 Ibid., 2: 172-73; JHB, 2: 27; Billings, Papers of Sir William Berkeley, 189.
28 HS, 2: 18-21, 64, 73, 75, 83, 103, 171. In reality the expansion of county authority was an acknowledgement of the de facto powers that counties had acquired during the interregnum, see Warren M. Billings, “The Growth of Political Institutions in Virginia, 1634-1676,” WMQ, 3rd Ser., 31 (1974): 231 34.
to Gilbert Sheldon in 1661 when the latter was Bishop of London. The language of the royal proclamation establishing the bishopric overlapped in key ways with the urban vision Green had set out. The bishopric was to facilitate “the discipline of good manners” and ensure that “piety and charity be fomented and conserved among all men.” Furthermore, it would boost the urban status of Jamestown by enabling it to formally take the title of a city. “Jamestown be from now and henceforth forever a city,” the proclamation explained, “and we will and decree that it be called and named the City of Jamestown.” The secular hierarchy being pursued through a new urban space at Jamestown was to be complemented by a religious hierarchy anchored at the town. A leading ecclesiastical figure at Jamestown would help to ensure that, instead of becoming a radical independent corporate community, the town would served as a symbol of royal and religious authority in the colony, fully under the supervision of spiritual and temporal authority. The bishopric challenged the position of the Virginia elite who were supposed to gather at Jamestown because it made the office of bishop for America an independent authority in the town that reported directly to the archbishop in Canterbury. If Berkeley envisioned an elite town where leading colonists could gather under his authority, then a directly appointed cleric who gathered the colony’s clergy there and reported back to the crown integrated Jamestown even more with the English empire than the governor had planned. Local leadership in the colony saw to it that the plan was never put into action. However, the bishopric proposal suggests that planners on both sides of the Atlantic during this brief Restoration zenith were thinking in the same way about the nature of colonial urban development – that it should be orderly and hierarchical, marking clear lines of political authority on the landscape.29

29 “Draft Statute for the Creation of a Bishopric in Virginia,” f. 152-54, Owen Wynne Collection 238, Codrington Library, All Souls College, Oxford (Virginia Colonial Records Project). This document is in Latin, but a translation can be found in William Cabell Brown, “Draft for the Creation of a Bishopric in Virginia,”
With the legislation in place, Virginians were faced with the far trickier job of actually constructing a modern brick metropolis on the banks of the James. Two major fires have ripped through Jamestown since the early 1660s and almost all the records of James City County have been lost, so historians are almost entirely reliant on the work of archaeologists to piece together what physical structures were actually erected. Fortunately, in some cases detailed excavations over more than half a century have unlocked considerable insights, but other buildings scarred by earlier, less sophisticated archaeological techniques remain a mystery. What is abundantly clear, however, is that in the early 1660s Berkeley personally oversaw a considerable urban renaissance effort at Jamestown, which involved new architectural forms and the prominent use of brick.

At least four counties and five individuals initially agreed to begin construction of houses at Jamestown, and Berkeley himself proposed to erect eight houses, supervise the work on the statehouse, and become the major landlord of the town. Surviving historical records suggest that within a year four houses had been built. Because their exact locations are not mentioned, we cannot correlate this detail to the archaeological record, but it is clear from that record that major new buildings were indeed erected at Jamestown during the 1660s. Most ambitious was a row of eight houses on the northwest end of the town, near the isthmus connecting the island with the mainland. These eight houses were built in two rows of four, back-to-back, onto the end of which was connected the newly built statehouse. In addition, two other buildings, known to archaeologists as structures 17 and 115, are almost certainly products of this era. These brick piles are actually two further groups of rowhouses,
containing three and four houses, built in the early 1660s but only sporadically occupied and never completed. Stalled building and unoccupied units suggests that the town plan quickly ran into financial difficulties; such an assessment is supported by the few scraps of documentary evidence we have about the building process, and by the fact that none of the other twenty-four houses called for by the 1662 act have ever been definitely identified.30

The exact nature, style, and purpose of the three groups of rowhouses that were built have come in for significant archaeological debate. In the 1930s Henry C. Forman argued that the connected series of homes with unified facades was intended to replicate fashionable London residences of the Restoration era. This interpretation would certainly fit with the rhetorical implications of both the legislation itself and Green’s lengthy treatise on the importance of elite urbanity. However, a reassessment by Audrey Horning has cast doubt on Forman’s findings. Horning claims that the presence of rowhouses was not inherently elite because the row form of connected buildings was a cheap and efficient style that predated its fashionable use in the rebuilding of London. Horning points out that the number of abandoned structures and the use of one unit as a jail probably made them less than desirable real estate, certainly not on a par with London’s fashionable West End. Instead, she argues that they were intended as speculative ventures to house urban craftsmen, akin to those being quickly thrown up in England’s industrialising small-towns and villages, and were thus intimately tied to Berkeley’s concurrent efforts at diversification: they would

provide housing for new kinds of workers, and the speculation itself was intended to substitute for falling tobacco profits in the same way that diversification was.31

Certainly most of the men who agreed to build the houses already had roofs over their heads and so clearly intended to make a profit. However, Horning’s conclusion that the Jamestown plan was thus intended merely as cheap housing for urban artisans who never materialised does not square with a close reading of the written sources. Firstly, the fact that the buildings never achieved aesthetic unity does not preclude the idea that it was the original intent of the legislation, as its explicit reference to a square design for the thirty-two houses and stricture about the use of brick certainly imply. Such an organised aesthetic would have been unnecessary if the buildings were intended for industrial purposes.

Furthermore, one of the three groups of houses, the so-called Ludwell Statehouse group, partly consisted of a new chamber for the General Assembly, and it would seem unlikely that the colony’s leaders envisioned the additional homes attached to their new hub of colonial governance as noisy foundries or stinking tanneries. Secondly, although Horning points out that some of the rowhouses were used to process flax, the diversification legislation that Berkeley had guided through the assembly made explicit provision for linen and leather production in each Virginia county rather than at a centralised site, suggesting that it was never intended to develop into an exclusively Jamestown-based urban industry. The town act itself made no promises about future manufacturing at Jamestown. As noted above, although new manufacturing centres were being developed by ambitious landlords in seventeenth-century England, most manufacturing was still a rural pursuit. Evidence from Charles City County – not far from Jamestown – suggests that separate manufacturing facilities were established there in the early 1660s, reflecting this English rural trend. A final

indicator that the legislation was not initially intended to generate poor-quality industrial
workshop housing comes from the fact that it openly acknowledged the houses themselves
would likely not generate much profit. The act, however, insisted that only home builders
would be allowed to erect stores for mercantile trade, which the authors were convinced
would realise the true financial success. Thus the 1662 act clearly suggests that it was
commerce and politics as much as speculation and industry that provoked the limited
development that did take place.\textsuperscript{32}

Berkeley did intend the colony to diversify and had royal sanction to promote such
efforts, and ambitions for economic growth were obviously intended to encourage leading
colonists and merchants to invest in storehouses as well as fine homes at Jamestown.
However, he also had wider civic purposes for his metropolis that were conditioned by new
ideas about elite town government and mercantile control in England. The idea of wealthy
gentry allied with leading merchants, all living in towns, was emerging in England during this
period. It was this ideal, which Roger Green had articulated in \textit{Virginia's Cure}, that had led
the assembly to specify the precise architectural details and layout for Jamestown and that
had caused them to lean on the various elite benches of county justices to invest collectively
in urban space that was in some cases more than a hundred miles from their homes. It was
these principles that also pushed them to turn one of the new buildings into a guildhall

\textsuperscript{32} \textit{HS}, 2: 172, 174-75; Kukla, “Some Acts,” 88-89. For the Ludwell-Statehouse group, and the debate over
whether it was, in fact, the colony’s statehouse or not, see Billings, \textit{Sir William Berkeley}, 180-81. For
manufacturing in Britain, see n.9 above. For manufacturing in Charles City County, see CO 1/40, f. 140-50.
Part of Horning’s argument about the speculative industrial nature of the Jamestown rowhouses is based upon
her rejection of the status assumptions of building in brick in seventeenth-century Virginia. She argues that
brick architecture was more common than we have appreciated and that its use was merely tied to the
increasing concern with fireproofing in English towns. Fire prevention was undoubtedly an important factor in
decision making, but the iconic Great Fire of London had not occurred when the 1662 legislation was
developed, and the language of the act does not imply such pragmatic considerations - it suggested that only
the brick houses would be symbolically considered part of the town. Furthermore, when Thomas Ludwell later
described the developments to officials in Whitehall, he laid particular emphasis on the fact that it was a “towne
of brick” which, if brick was an entirely practical consideration, seems an oddly mundane detail to emphasize
to the kingdom’s highest-ranking civil servants. Horning, “Vere Fir Place,” 188-228; “Thomas Ludwell to
Lords of Trade, 10\textsuperscript{th} April 1665,” CO 1/19, f. 75.
where the wealthy gentry-merchant community they envisioned could meet and symbolically flex its muscles. It is indisputable that the few houses that were erected at Jamestown were far from luxurious, and some probably were soon rented out to poor colonists, when it became clear that the urban vision Berkeley had sold to investors was not going to materialise, but this does not mean that they were never intended to be anything more.33

It was the unfamiliar nature of thirty-two brick houses organised into a formal square and built as a civic project that ultimately doomed Berkeley’s endeavour. Amongst the members of the council and colony leaders, very recent immigrants from England such as the Ludwell brothers invested in the town’s property because they were familiar with the urban ideas that Berkeley was propounding, but most of the written records describing Jamestown in the 1660s and 1670s are pervaded with confusion and uncertainty about the nature of the work. Whose town should Jamestown be, and who should be investing in the urban vision? Berkeley himself, writing to the Lord Chancellor, Clarendon, just a few months after the legislation had passed, explained, “The poorer sort see that want and misery will sooner come upon them for want of Town than on the rich men,” and were therefore more anxious to support the town-building effort. But just a year or two later, council member Francis Moryson, again writing to Clarendon, explained that the urban plan had only resulted in four or five houses and had disillusioned many poorer colonists and even caused “hundreds of people” to desert the colony. These were dramatically conflicting accounts of the impact of the town act on the colony’s different social strata.34

Berkeley may have been relying on the eager assent of the burgesses as evidence of enthusiasm amongst the “poorer sort” in the counties, and he certainly had reason to

33 For reference to the merchant hall, see CO 1/19, f.75. Horning acknowledges the probable existence of this civic structure but does not address the ramifications of its construction. See Horning, “Vene Fit Place,” 300. 34 Billings, Papers of Sir William Berkeley, 189-91; “Francis Moryson to Lord Clarendon, 1665.” For the English background of the Ludwell brothers, see Billings, Sir William Berkeley, 131.
convince potential urban investors on both sides of the Atlantic that there was a latent mass of colonial poor ready to take up urban occupations and service the town. However, the governor did claim that these poor men were “willing to Contribute” suggesting that collections of the tobacco dues for the project, rather than just wishful thinking, stood behind his statement. If poorer colonists were prepared to take urban development seriously, it undermines traditional scholarly interpretations that have argued that ordinary men and women in Virginia resented the governor’s ambitious plans and the speculative building that Horning suggests was pursued. These previous interpretations rest firmly on Moryson’s claim that “hundreds of people” had been scared away from the colony by the costs of the town-building endeavour. Both Moryson’s and Berkeley’s statements likely contained a measure of hyperbole, but if we take them both as rooted in some grain of truth, then there was clearly some disagreement about whether town building was within the financial means of ordinary colonists, bringing us back to the question of what kind of town was being built.

The only contemporary description of the early results of the redevelopment comes from Thomas Ludwell, the secretary of the colony and a close ally of Berkeley. He wrote to England within a couple of months of Francis Moryson’s doleful epistle, with a contrasting description. “In obedience to his Mai’ster Royall instructions,” Ludwell wrote, “we have begun a towne of brick and have alreaddy built enough to accommodate both the publique affairs of y’country and to begin a factory for merchants, and shall increase it as there shalbe occasion for it.” At no point in this description did Ludwell refer to industrial developments or cheap speculative housing for workers. He saw the town’s functions as public and mercantile, and these clearly had elite connotations. Ludwell also adopted the language of the act, which had specified that the town would be entirely constructed of brick, thus technically excluding the older wooden structures from consideration as part of the civic
body. The act had made clear that no new wooden houses could be built at Jamestown, so unless poor colonists agreed to rent from their county leaders or the wealthy councillors who could afford to build the brick homes, then they could not move to the town and become part of the urban community. Berkeley may have insisted that the “poorer sort” were interested in the developments at Jamestown, but in the same letter he had already implied that the town he was planning to build was not intended primarily for them. Although he noted that the town was a means to bring diversification into “those Commodities” that had been long hoped for, he summed up its mission as making the colony “civill, rich, or happy,” tapping into a more cultural and political vision of the urban ideal. 35

The problem, however, was that a mercantile and elite town along the lines that Ludwell described was of limited appeal in the colony as a whole. The costs of constructing the homes proved more than the province could bear. The thirty-pound tobacco levy raised in the counties being insufficient to build the complete complex, provision was made to extend the plan for a number of years, but it eventually fell apart and some of the houses that had been started were left incomplete. As Berkeley had noted, he could not get enough of the colony’s wealthiest planters to invest in urban property, probably reflecting the squeeze on capital resulting from a fall in the tobacco price. Furthermore, even the colonial elite still had to manage their plantations and could not afford to spend part of their year at a miniature court at Jamestown. The idea of a merchant’s hall and mart at Jamestown was hampered by the same difficulties that the colony had long endured, since loading and unloading goods at individual plantations had not gotten any harder. The restrictions of the 1662 act had only ever threatened to channel a fraction of the colony’s trade through the town, and the burgesses eventually repealed those restrictions. When the second Anglo-

35 CO 1/19, f.75; HS, 2: 176; Billings, Papers of Sir William Berkeley, 189.
Dutch war broke out in 1665, it only added to the uncertainty of the mercantile system and militated against serious investment in a trading port.36

Ultimately, the scant evidence that has survived about the rationale behind the building work suggests that it was confused. Berkeley did intend to diversify the colony’s economy and saw the functions of a town as important to this effort, but he also worked with the 1662 assembly to codify a very specific vision of the town as a political and cultural metropolis for Virginia, through which he could unite the provincial leadership of the colony’s counties. This vision was reflected in the buildings Ludwell described, but archaeologists have astutely identified the short window of success and ultimate frustration of the plan. If speculative urban development at Jamestown had been entirely tied to diversification of the colony, then it seems likely that Berkeley would pressed ahead with it for the remainder of his governorship, just as he continued to promote new staple commodities. But because it was, at least partly, a political endeavour, the county leadership’s lukewarm response, Berkeley’s success in unifying the colony’s elite without gathering them at a court akin to Westminster, and the increasing frustration of ordinary colonists when they realised that the town was to be an elite folly led him to quietly neglect any further efforts at Jamestown.37

Historians’ understanding of Berkeley’s goals at Jamestown has been hampered by a dislocation of Virginia’s economic problems from the political developments in England during this period. Archaeologists and historians have tied urban developments to Berkeley’s diversification agenda and seen the combined package as a topic of contest between ordinary colonists and the emerging provincial elite. John Rainbolt pejoratively ascribed the project to

37 For Berkeley’s success in unifying the elite, see Billings, Sir William Berkeley, chap. 11; Edmund S. Morgan, American Slavery, American Freedom: The Ordeal of Colonial Virginia (New York, 1975), chap. 10.
the governor’s “prescriptive” style of leadership and argued that everyone outside his small coterie of allies resented the impositions as elite profiteering. The rowhouses have thus been interpreted as part of a desperate, arrogant, and ham-fisted effort to force the colony into economic development, which eventually provoked rebellion. But this interpretation neglects the complex and contested definition of urbanity that was circulating in the English Atlantic world after the Restoration. By examining the attitudes toward civic politics and urban life in England and understanding the political ferment in the London through which Berkeley and Roger Green trod in 1662, we begin to separate the connected but distinct issues of diversification and urban development. It becomes clear that the 1662 town act in Virginia was the product of Berkeley’s adjustment to new royal imperial expectations he encountered in London, and to the political and cultural visions of leadership and unity being marked on the landscape of Whitehall and Westminster. He had realised that the Virginia capital could no longer flourish as a commercial free port, so he formulated a Restoration urban vision that included some building speculation but also a healthy dose of political and social leadership. The Jamestown plan was not just a product of Berkeley’s narrow clique of wealthy allies; it was actually part of his effort to strengthen such a community of county leaders and ensure their loyalty to him through a cultural hub. When these wealthy men proved unwilling or unable to make the necessary investment, preferring to consolidate their control in the counties, this particularly urban vision withered, not to reappear for another forty years. But Berkeley’s was not the only civic ideal in play in Restoration Virginia. The complaints and concerns of ordinary colonists, instead of being a

critique of all urban development, represented a different strand in English thinking about towns – one that drew from the independent civic vision of Civil War-era boroughs and was to retain traction through the troublesome 1670s.\textsuperscript{99}

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If you had exited the ramshackle rowhouse on the end of Structure 17 at Jamestown in 1670, turned right, and walked westward past a collection of river wharfs toward the colony’s statehouse and the thin isthmus of land that connected Jamestown Island to the mainland, you would have passed a number of other buildings, many of them still wooden structures. After a few hundred yards, you would have been walking across the threshold of the original James Fort that the Virginia Company had dreamed would one day become a bustling New World metropolis, but you would not have recognised any remnants of old palisade walls. Just ahead of you, on the right, however, some distance from the remains of Berkeley’s urban endeavours, would have been an imposing wood-frame home built with sturdy beams on a brick foundation. This house dominated Jamestown’s market square and churchyard – its oldest civic space. Drawing closer, you might have heard the noise of tankards knocking together, shouts and laughter interspersed with conversation, or the groans of men rolling barrels of tobacco and grain in and out of the basement. If you had knocked on the door frame and enquired for the householder, you would have encountered one of two men – either the well-educated tavern-keeper and lawyer Richard Lawrence or the wily Scottish merchant and onetime governor of Carolina William Drummond. The house stood at the corner where their property lines met, and modern scholars cannot be certain which man owned the modestly impressive pile. No matter, though, because one could easily have

\textsuperscript{99} For a more general discussion of Berkeley’s attempts to cultivate political connections with the county leaders from across the colony and consolidate Virginia into an oligarchy, see Warren M. Billings, "Virginia’s Deploured Condition," 1660-1676: The Coming of Bacon’s Rebellion" (Ph.D. diss., Northern Illinois University), chap. 3 & 5.
encountered both men; they were good friends who shared particular financial interests in
the little town, as well as political opinions and a decided dislike for the governor. If you
engaged them in conversation about the state of the town you had just wandered through,
you would have been confronted with a very different urban vision from the one Berkeley
had brought back from England in 1662. The wooden house flew in the face of Berkeley’s
aspirations for a brick town, yet it rivalled the governor’s planned homes for size and stature.
It welcomed visiting merchants and sailors, but also servants and slaves, and it became a
centre for discussion and dissent from the colony’s authorities. Through the law courts
and the mercantile storehouses of the town, Lawrence and Drummond challenged the
governor’s authority and created a civic space that they could dominate. In short, they drew
on a long tradition of independent urban identity, which was also flexing its muscles in
contemporary England against the rising tide of Stuart ambition.40

A few years later, in 1676, the resentment these men felt about the governor and his
activities at Jamestown fed into a much larger crisis over Indian attacks and colonial taxation
to provoke them into leading a violent rebellion. In the midst of this struggle, they laid claim
to the civic identity of Jamestown but then, fearing to surrender its talismanic authority over
the colony to Berkeley, they burned the whole city to the ground, each setting light to his
own home in the process. To appreciate the role town development played in shaping
political debate in Berkeley’s Virginia, we must recognise the discontented undercurrent of
Lawrence and Drummond and investigate the urban vision they shared with many ordinary
colonists across the tidewater.

40 Details of the Drummond-Lawrence House supplied in correspondence with Preservation Virginia,
Archaeologist, Jamie May. For a description of the recent excavations at the Drummond-Lawrence House, see
http://www.preservationvirginia.org/rediscovery/page.php?page_id=360. For a good summary of the
community that was established around this house, see Stephen Saunders Webb, 1676: The End of American
The story of this countercurrent does not begin with Lawrence and Drummond, however. Whispers of an alternative urban vision were heard as far back as Berkeley’s 1661-62 visit to London. Probably approached by Berkeley and his allies as they trawled the inns and taverns of London looking for corroborative testimony for their plans, a former servant named Anthony Langston, who had fallen on hard times, was provoked into addressing the Council for Plantations about the state of Virginia and its need for urbanisation. His primary objective was to sell a new project for iron mining and smelting in the colony, which he probably hoped to spearhead himself, but he also focused on the need for towns. Langston had only recently returned from nearly fifteen years in Virginia serving the commonwealth-era governor Richard Bennett, so he was almost certainly unaware of the distrust of English borough corporations that was circulating in Whitehall. Perhaps this explains why his treatise was the only document in the debate to make repeated and deliberate references to “Townes and Corporations.” Langston’s report rarely separated the corporate political foundations of a town from urbanity – the two were almost always mentioned together, reflecting the fact that Langston believed any urban development in Virginia would have to politically distinct from the counties of the existing scattered plantation landscape. He argued that few current colonists would freely move into towns and that a better solution was to establish distinct communities of emigrant artisans who could form corporate bodies and trade with the existing rural economy. He made a long list of the kinds of men he envisioned as part of these new urban communities: “Brickmakers, Bricklayers, Carpenters, Sawyers, Joiners, Plaisterers Coopers Glasciers and Smiths, Tanners,” as well as shoemakers and shipwrights. These were not the weavers and vintners that Berkeley’s *Discourse and View* had advocated sending to the colony under the charge of the provincial elite; they were petty urban craftsmen who would service the domestic economy rather than the transatlantic staple
trade. Langston claimed that without a “trade between Town and Country,” other specialists in diversifying products could not be sustained. Rather than discussing the effect new products could have on the colony or the religious order that Roger Green had dreamed of in *Virginia’s Cure*, Langston placed his faith explicitly in the institutions of the artisanal corporation to bring justice and prosperity to its hinterland. Distrust of the existing elite and the need to reempower corporate institutions in the body politic pervaded his plan. Few people in Whitehall were in the mood to consider such a proposal for a corporate renaissance in Virginia, and the scheme they agreed to with Berkeley, as we have seen, was quite different. But Langston’s points suggest that ordinary colonists who had laboured in the fields of Virginia and drunk in the back-lane grog shops of old Corporate London, rather than the fashionable neighbourhoods of Westminster, had not given up on the rich corporate heritage of pre–Civil War England and consequently had very different ideas about how to urbanise the colony.\textsuperscript{41}

Although Langston’s plan for Virginia was never revived, it was only a couple of years before Whitehall officials were confronted with a similar proposal relating to the new Carolina colony. While sojourning in England, Berkeley, along with his brothers and a number of other prominent royal courtiers, had secured a patent to found a proprietary colony in Carolina, and when he returned to the Chesapeake he was tasked with recruiting settlers to travel south and take possession of the northern section of the grant, around the Albemarle Sound. Berkeley and his fellow proprietors in London were concerned that the colonists not scatter themselves across the region patenting huge tracts of land in imitation of Virginia’s experience, and Berkeley received repeated warnings about the dangers of this

dispersed settlement. However, instead of requiring urban development, they planned for a compact collection of narrow land grants, each with 66 feet of water frontage and stretching 6,600 feet back from the riverbanks. The plan was intended to seat two hundred households in a mile and a quarter square but also to ensure that they could pursue agriculture and grow staple crops. It represented the same faith in organised rural community development that lay behind Berkeley’s strengthening of the county structure in Virginia and his rejection of a corporate model for urban development. Ultimately, however, the strict control over land grants only bred anger and hostility between the new settlers and the proprietors, particularly Berkeley, who came to blows with the man he had appointed to oversee the Albemarle settlement, Jamestown resident William Drummond.42

The proprietors believed that settlement in a constricted plantation landscape would be “better then in townes,” but the men who set out to colonise the Albemarle region begged to differ. One of the region’s early settlers, George Milner, wrote a lengthy treatise on the issue, probably with the approval of William Drummond. There had never been “a flourishing much less a lasting Weale Publick” ever established, he claimed, “upon so in-artificiall foundations as hath hitherto been laid boath here as well as in Virginia & Maryland.” The region lacked the “first matter or composure thereof (viz) Towns, Trade & Coyne.” Milner’s sophisticated argument drew on natural philosophy, arguing that few animals in the whole of creation lived in such a scattered manner; “men considered out of this Circle or line” of urbanisation, he claimed, are “in a perpetuall state of War & mutuall feare of each other.” He rehearsed the civic humanist benefits of communal urban life, claiming that towns “by ye benefit of a constant converse do whet, polish & improve ye

manners & wits of men.” Such fears of disorder and aspirations for civility may have been shared by Virginia leaders such as Berkeley, but the solution Milner proposed was starkly different from the fine “towne of brick” that Berkeley had carefully planned out. Firstly, he argued that the colony ought to adopt wampum (belts made of shell beads that were used to trade with native tribes up and down the east coast of America) as an interim currency. This de facto coinage would facilitate the same kind of local exchange and domestic trade that Langston had hoped to cultivate between the “Town and the Counry.” In amazing detail Milner laid out how the wampum would promote a kind of rough, egalitarian town:

That a Target maybe [at the town site] setup, at which, on a day appointed, a small piece of Plate or two may be shot for. Where each person yet is desirous to shoot may put in his six, eight, ten pence or shilling in English or Indian moneys, more or less, proportionable to the value of the Plate or the number of persons that shoote. That in the mean time, for a beginning, three or fewer Boarded houses with Shops in them may be erected ... That by the day appointed for Shooting two or three Butchers & Hucsters Stalls be there forth. And that they & the Shop-keepers be enjoyned neither to give Credit or take any other payment for their wares [than] Indian moneys, unless English, during this meeting.

This inaugural fair was to be followed by three or four per year, in addition to regular weekly markets at which butchers and craftsmen could sell their products. Each site would eventually become a “towne corporate,” and men who resided or traded there could be “enfranchised” and granted “benefit, immunities & other advantages.” At the core of Milner’s vision were craftsmen labouring in a corporate community, and he even advocated shipping these men into the region from Barbados, where, he claimed, they were being squeezed out of the market by skilled slaves. This was a long way from the neat brick town that was to act as a social hub for Berkeley’s allies and the transatlantic merchant community; even if the governor had intended to set up manufactures at Jamestown they were to be in rented houses owned by county leaders and they fit into the grand imperial mercantile
visions he was attempting to develop. Milner’s articulate rebuttal mocked Berkeley’s lack of progress and put forth a traditional civic vision of craftsmen and communal activity as the bedrock of urbanity.43

There is some evidence that the plan for Carolina may have even affected debate over towns in Virginia during the mid-1660s. By the autumn of 1665, enthusiasm for development at Jamestown had dipped, and in October the assembly issued an order that had some interesting similarities to Milner’s proposal. Apparently ignoring the fact that the 1662 act had made provision for the future development of one town on each of the colony’s great rivers, the burgesses agreed that each county would be allowed to discuss the establishment of up to two quasi-urban clusters of buildings and functions. County trade would be confined to these sites, and the church, courthouse, and sheriff’s office would all be relocated there. In common with Milner’s plan, the new proclamation emphasized the congregation of social, political, and economic functions in order to gather the local community. It specified that each county community was to take part in a simple majority vote to decide whether such locations would be established in their locality – an ambitiously democratic move. The county leaders in the assembly who drafted the plan probably did so with confidence in their ability to sway their neighbours’ votes on the issue, so in this sense it differed from Milner’s and Langston’s insistence on a distinct independent community of urban craftsmen. It also did not directly challenge the Jamestown redevelopment: the

43 George Milner, “Proposals in order to the Improvement of the County of Albemarle in the Province of Carolina in point of Towns, Trade & Coyne,” f. 661-65, Egerton Ms. 2395, British Library. It is impossible to know how Milner’s treatise made it to London (where it survived in the records of government officials), or what response it received there. Milner himself was clearly well educated and was probably a member of the prominent Milner family of Isle of Wight County, Virginia, from where migration to the Albemarle region would have been a relatively straightforward overland journey. It seems likely that Milner’s plan was encouraged by William Drummond, whose only surviving letter from his time as Carolina governor also includes a plea for more craftsmen and tradesmen to be sent to the colony. In all likelihood the proposal was carried to England by an approving merchant connected to Milner and Drummond, perhaps one with connections to the Caribbean that would explain the plan’s emphasis on developing products for export south and its eagerness to see craftsmen brought from Barbados. For the Milner family in Nansemond and Isle of Wight counties, see Virginia S. Hershey, Those Southern Milners (Self-published, 1980).
proclamation did not contain the promise of incorporation or even the word “town.” It was likely akin to the proposals for marketplaces that had been contemplated in Virginia during the late 1650s and prefigured the county towns that the burgesses would lobby for during the 1680s. What is clear, however, is that the assembly’s order represented a growing sense of dissatisfaction with the expensive and impractical proposals Berkeley had set forth, even among the leading planters from each county who sat in the government. Their opposition, just like Milner’s and Langston’s, was not a complaint about urbanisation per se but simply a critique of the ambitious Restoration model Berkeley had adopted and a conviction that ordinary colonists should get a chance to shape the political and economic topography of their local communities and govern any prospective urban foundations that were erected.44

Although the county leaders had not been persuaded to construct and maintain refined urban abodes in Jamestown, the city was not without residents during the later 1660s, and they too began to articulate disquiet about the overambitious Restoration redevelopment that Berkeley had imposed. Two of the most important townsmen were Richard Lawrence and William Drummond, whose house we have already encountered. In 1667 Drummond had returned from Albemarle in disgrace; he was ejected as governor of the colony by Berkeley after a letter he wrote severely criticising the governor was intercepted and brought to Jamestown. From that point onward, Drummond sulked around the governor’s city, probably still exploiting his mercantile connections across the Atlantic world, and fighting with Berkeley when the opportunity arose.45 Just before Drummond returned from Carolina, a new immigrant moved into the house next to his on the

44 JHB, 2: 30; HS, 1: 412, 476.
45 Billings, Papers of Sir William Berkeley, 293-95; Billings, Sir William Berkeley, 167-68. William Drummond was not as active in town business as Richard Lawrence, but he was clearly a proactive community member, as evidenced by his appointment to build defensive works at Jamestown during the Anglo-Dutch wars. Drummond failed to complete the task to Berkeley’s satisfaction and came in for further criticism. See H. R. Melville, ed., Minutes of the Colonial and General Court of Virginia, 2nd ed. (Richmond, 1979), 334, 342; Billings, Sir William Berkeley, 168-69.
Jamestown market square. We have no way of knowing why Richard Lawrence came to Virginia, but reports suggest that he was intelligent and ambitious—he quickly married a widow with a healthy tavern business in the capital, converting one of the tavern’s chambers to serve as a law office and a temporary home for the papers of colonial secretary Thomas Ludwell. Lawrence had been educated at Oxford, which was a mark of learned distinction in Virginia society and probably made him an interesting conversant for men such as Ludwell. He probably also had ties to the Parliamentarian faction during the Civil War—his arrival in Virginia during the early years of the Restoration may have reflected a decline in his fortunes amidst the rising tide of royalism. Whatever the cause of his emigration, it is clear that relations between Lawrence and the colony’s elite, such as Ludwell, quickly soured; the innkeeper-cum-lawyer began associating with the out-of-favour William Drummond.46

46 The exact identity and origins of Richard Lawrence are something of a mystery. Contemporary accounts note that he had studied at Oxford but give no other information on his background. The University of Oxford records mention only two men named Richard Lawrence who attended in the right chronological window. One was the son of George Lawrence of Steepleton, Dorset, who attended Magdalen College in the late 1630s. Virginia antiquarian Edward Neill posited confidently that this was the future Richard Lawrence of Virginia, but there are a number of problems with this interprctation. Firstly, he was born in 1616, which would make him the relatively venerable age of 60 when he was supposedly fighting alongside Nathaniel Bacon in 1676. Secondly, other English sources suggest that this Richard Lawrence was a prominent Parliamentarian who fought for Cromwell and authored a radical religious tract in 1657 and then disappeared from the records (one eighteenth-century Dorset antiquarian claimed that he died in London as a foot soldier). While it is possible Lawrence may have authored the tract and then slipped away to the colonies at the Restoration, no contemporary records suggest that he had a level of theological prowess commensurate with such a publication. The second Richard Lawrence referenced in the Oxford records is far more shadowy—he attended New College between 1650 and 1653 and was the son of clergyman, but there are no further details about his family or place of origin. However, this man would likely have only been in his forties during Bacon’s Rebellion, making him a more likely candidate for an active rebel leader. There is, of course, the possibility that the story of Lawrence’s university attendance was fabricated (although corroborating accounts do suggest he was learned) or that the Oxford records from this turbulent time are incomplete. If one of these two men was in fact Lawrence the Virginia rebel, however, we can conclude that he had at least some Parliamentary sympathies, from primary evidence in the case of the first candidate, and, in the case of the second, from the fact that he attended the university during the Commonwealth period under the chancellorship of Oliver Cromwell. For contemporary accounts, see Thomas Mathew, “The Rise, Progress, and Conclusion of Bacon’s Rebellion in the Years 1675-1676” [1705], in Andrews, Narratives, 27, 40-41; [John Cotton], “The History of Bacon’s and Ingram’s Rebellion,” in Andrews, Narrative, 96. For Lawrence housing the secretary’s records, see McIvor, Minutes of the Council, 390. For the Oxford records, see Joseph Foster, Alumni Oxoniensia: The Members of the University of Oxford, 1500-1714 (Oxford, 1891), 888. For records of Lawrence’s landholdings at Jamestown, see Samuel H. Yonge, “The Site of Old James Town’ 1607-1698,” 1/ MHB 11 (1904): 262-64; Martha McCartney, Documentary History of Jamestown Island (Williamsburg, Va., 2000), 215-16. For interpretations of the life of the Richard Lawrence who attended Magdalen in the 1630s, see Edward Neill, Virginia Carriouen: The Colony Under the Rule of Charles the First and Second, A.D. 1625 – A.D. 1685 (Albany, N.Y., 1886), 366; Toby
As the tavernkeeper at one of Jamestown’s major establishments, Lawrence began to exercise an independent and antagonistic urban identity that peeks through the very thin documentation of the period. Because Berkeley conducted government primarily from his Green Spring plantation house and most of his councillors and intimates resided on their plantations, the town that had been planned as an urban cultural entrepot was left largely in the hands of men such as Lawrence. In 1671 the townspeople defeated a major plank of the Berkeley plan by receiving permission to repair and maintain their old wooden houses, which the governor had hoped to eclipse with his formal brick plaza. In the town of wood, Lawrence welcomed visiting ship captains to his tavern and dealt directly with them, worked for the General Court to investigate commercial deals that fell into dispute, and began acting as a surveyor for local boundary quarrels. He was not just in the courts as a witness either. In the spring of 1672 he began representing clients at the General Court and he also racked up a number of personal suits in the early 1670s. Some of these cases were probably simply cases of mercantile debts, but amongst this litigious record lies evidence of Lawrence’s direct challenge to the provincial government’s control of Jamestown. One of the few provincial government officials who did reside in the city was the clerk of the general court. In autumn 1672 Lawrence launched a spurious legal case in which he accused the current clerk, Richard Awborne, of murder. Lawrence’s bombast was able to convince the James City court, but when the case was brought before the council it was summarily dismissed; the following spring Awborne launched a countersuit against Lawrence (also dismissed), suggesting that the acrimony between the two men persisted. Although no charges were ever proved on either side, the case was enough to get Awborne removed from the clerk’s office, and Lawrence may have considered this to be victory enough. But the courtroom was not the

only place where he challenged the government. Sometime during the winter of 1673/4 he launched a verbal assault on Virginia councillor Nathaniel Bacon Sr., quite possibly from the parlour of his tavern. In the same space that winter, he also welcomed some of Berkeley’s servants who had fled Green Spring without the authorisation of the governor. In the absence of county records for James City County the evidence is sparse, but what there is seems to suggest that Lawrence was challenging the governor’s authority, and doing so specifically within an urban context. He took on a prominent role in the town and attempted to create a civic space where anyone critical of the government could converse (even Berkeley’s runaway servants), and he hounded provincial officials who attempted too close an oversight of this urban independence. Lawrence had grown up in an era when English towns, run by men like himself, had asserted distinct political identities and helped to topple a monarch, and there is a good chance he was sympathetic to their cause, so it makes sense that once he settled into his prominent home at the heart of the old centre of Jamestown, he would seek to resist the Restoration-planned vision that had been half-heartedly imposed upon the town.47

Lawrence’s assertive attitude toward Jamestown did not develop in a vacuum. In the 1670s Virginia was becoming a desperately troubled place. The costs of preparing the province for Dutch attack, of pursuing Berkeley’s elaborate diversification agenda, and of buying back huge tracts of the colony that the king had heedlessly granted to his court favourites, combined with the continuing decline in the price of tobacco, led to a crippling

47 McIlwaine, Minutes of the Council, 207, 218, 222-23, 228, 236-38, 293, 297, 313, 343-44, 371-72, 375; JHB, 2: 56; Martha McCartney, Documentary History of Jamestown Island, Volume 3: Biographies of Owners and Residents (Williamsburg, Va., 2000), 215-16. The first person to treat Richard Lawrence in depth – but with little consideration of his prerebelleion activities – was Thomas Jefferson Wertenbaker, “Richard Lawrence: A Sketch,” IfMQ, 3rd Ser., 16 (1959): 244-48. Warren Billings has discovered evidence that during the early 1670s Lawrence gained access to the assembly by representing Lower Norfolk County, but by 1676 he was representing James City. See Billings, Sir William Berkeley, 234.
tax burden on ordinary colonists. Nonetheless, the governor and his allies pressed on with their agenda and simply called the same compliant huddle of burgesses back to Jamestown repeatedly to sign off on their administration. While Lawrence was lambasting the governor from his home in Jamestown during the winter of 1673/4, disgruntled colonists on the other side of the river in Surry County rose in a short-lived protest against the heavy taxation burden. Even greater problems lay around the corner, however, because as the Dutch menace lessened again with a metropolitan peace worked out in 1674, settlers were facing the growing threat of Indian attacks along the colony’s many frontier regions, which now stretched between the fall lines of all the major rivers of the Chesapeake Bay. Various tribal groups in the region, coming under pressure from Iroquois warriors to the north and the English to the east, began to strike out against these encroachments with increasing frequency through the decade and had a profound impact on the internal politics of both Chesapeake colonies.

Into this tempestuous melee of troubles, in the summer of 1674, stepped a young English colonist named Nathaniel Bacon. Although still not thirty years old, the young man had already enjoyed a dramatic and chequered career, including two spells of dissolute living at Cambridge, a grand tour of Europe, an unapproved marriage to the daughter of a family neighbour, and various bad debts and shady deals. As a fresh start, his father’s cousin and Nathaniel’s namesake, Col. Nathaniel Bacon Sr., a prominent Virginia leader and friend of Berkeley, set the young man up with a handsome estate and an immediate seat at Berkeley’s

48 For these problems, see Billings, Sir William Berkeley, chap. 12; Webb, 1676, 17-21; Rambolt, From Prescription, 96-98; Brent Tarter, “Bacon’s Rebellion, the Gnevances of the People, and the Political Culture of Seventeenth-Century Virginia,” VMIHB 119 (2011): 3-41
49 For Berkeley’s repeated calling of the same assembly during these years, see Billings, A Little Parliament, 43. For the protest in Surry County, see Billings, Sir William Berkeley, 226-27.
council table. Young Nathaniel, however, had misgivings. His new estate was close to the frontier region where violence was most pronounced, and the governor’s underwhelming response to the threat angered him. There is no evidence that he took a deep interest in the growing hostilities of Caroline politics before he left for the colony – he had quickly abandoned his only stay in London, where he was supposed to study at Gray’s Inn – but having grown up in a time of such dramatically shifting political fortunes, and having travelled to the great city-states of Italy (albeit whilst wrestling with smallpox), he had picked up enough political philosophy to be dissatisfied with the distribution of power and authority in Virginia. Whatever inclinations he began with were reinforced by Richard Lawrence, whom he appears to have quickly befriended. He likely sat in Lawrence’s tavern and heard the proprietor rail against “the forwardness advarice and French despotick methods of the govern’r,” which echoed the growing critiques of Charles II in England and seemed to fit with Berkeley’s apparent disregard for the ongoing slaughter on the frontier.51

Encouraged by disgruntled frontier settlers, Bacon began pressuring Berkeley into allowing him to lead a force against the local Indians and, faced with this threat to his leadership, Berkeley felt compelled to call fresh assembly elections and find a compromise with the young rebel. During the assembly in the summer of 1676, Bacon was captured, pardoned, and released, but he soon made a dramatic return to Jamestown at the head of a volunteer force and faced down the governor to demand his military commission. Because Bacon’s primary concern lay with defending the frontier, he breezed into and out of town.52 All the while, however, the new assembly sat deliberating further structural changes to the colony, attempting to address the issues of taxation and administration, which irked more than just the frontier communities. The task was all the more difficult because of the delicate

52 A concise narrative of Bacon’s actions can be found in Washburn, Governor and the Rebel, chaps. 3-5.
balance between Berkeley loyalists and Bacon supporters that the recent elections had generated. (Amongst the leaders of the disaffected party in the chamber was Richard Lawrence, who had been elected as the burgess for Jamestown.) The twenty acts that were approved reflected the balance of opinion – they limited the power of men such as Bacon to call impromptu gatherings, but they also clipped the wings of Berkeley’s friends on the council and his appointed sheriffs in the counties, widened the electorate for county and vestry elections, and addressed abuses of power by county justices. These acts represented the long-standing complaints of most ordinary colonists who were dissatisfied with Berkeley but not gripped by a bloodlust to massacre Indians. 51

In recounting this agenda, however, scholars have entirely overlooked the piece of legislation that was probably of most interest to Richard Lawrence – “An Act Limitting the Bounds of James Cittie.” Jamestown had long been entitled to elect a burgess to the assembly, but the boundaries of this electoral district had remained hazy. The act clarified that the town encompassed all land on the island, which extended as far as Sandy Bay (on the isthmus connecting Jamestown to the mainland) but no further. Only “housekeepers, freeholders and freemen” within these limits were to count as electors, “any custome or usage to the contrary notwithstanding.” The act also tacked on a provision to allow the townspeople to formulate their own bylaws, freeing them from the oversight of James City County. These reforms suggest that, as Jamestown’s new burgesses, Lawrence was prompting the assembly to legislate the separate urban identity he had been asserting for Jamestown throughout the decade – clarifying the town’s boundaries to demarcate a zone of urban control. A couple of years earlier, town residents (perhaps led by Lawrence) had petitioned to create a town common on the island, reflecting a similar anxiety about borders

and authority. It is not clear who had customarily voted illegitimately in Jamestown elections, but the most likely candidates are the Berkelian allies who owned land near the city but spent most of the year at their plantations outside the town. The provision for bylaws did not explain how said laws would be decided upon by the freemen, but developing an institution to debate and decide on by-laws (and advocating for the common ownership of a town common) raised the prospect that a separate corporate jurisdiction might be created. The expansion and definition of Jamestown’s civic identity in this legislation challenges the scholarly consensus that Virginia colonists saw all of the governor’s urbanisation efforts as an expensive waste of time. Led by Richard Lawrence, the assembly was not rejecting urban development per se but objecting to the authoritarian manner in which Restoration development had been carried out.54

We cannot conclude that this was just Lawrence’s personal agenda. The assembly of 1676 was interrupted by a showdown between Berkeley and Bacon, after which the session wound up and, sensing a lack of support, the governor fled to the Eastern Shore of the colony, and Virginia was engulfed in nine months of chaos and civil war. Even in the midst of this war, though, in his infamous “manifesto” of complaints, Bacon cited Berkeley’s failure in the distinctly urban arena of “Advancement and propagation of Trade, liberall Arts or sciences.” In his “Declaration of the People,” issued at the same time as the manifesto, in the midst of the rebellion, he claimed that Berkeley had done nothing to advance the colony “by Fortifications, Townes, or Trade”; crucially, those public works that had been attempted had been “for the advancement of private Favourites.” In another letter Bacon wrote that Berkeley’s elite allies had corrupted the civic space using “the Arts, Artificers, promises and Arguments that are used to sway and bring over the minds of men in Townes.” Keeping the

54 HS, 2: 362; Mellwaine, Minutes of the Council, 324. For Lawrence’s membership in the assembly, see Andrews, Narratives, 96.
civic space separate, as Lawrence had proposed in the assembly, would presumably militate against such nefarious practices.55

Furthermore, the grievances of each county that were collected by the royal commissioners in the aftermath of the revolt can also reveal how ordinary men and women viewed urbanization in the mid 1670s. Many of the grievances correlated with the legislation from the 1676 assembly about corrupt county government and high taxation and several also complained about Berkeley’s town-building efforts. Historians have made much of these comments, suggesting that they represented a complete rejection of the urban agenda in Virginia. In fact, the petitioners from Isle of Wight, Surry, and Stafford counties, who voiced these complaints, generally took issue with the style and manner of the building process, not the town-building agenda as a whole. The county most concerned about developments at Jamestown was Surry, which lay immediately across the river from Jamestown. The petitioners there said that “great quantityes of tobacco” had been levied for the town building but that the townhouses “were not habitable by reason ye were not finished.” They also offered a vivid characterisation of Jamestown as an urban space, explaining that it was a “place of vast expense & extortion.” These were not the complaints of people who saw no reason for towns; they were a critique of Berkeley’s overambitious, centrally planned design, which, instead of providing a genuine urban community that those just across the James River could have traded with, had focused on creating an expensive rendezvous for councillors, burgesses, and wealthy merchant factors. Far from being opposed to all urban development, in fact, many of the petitions that were gathered in 1677 called for new town developments, including a prescient plea from York County for a new capital city at Middle Plantation (the future site of Williamsburg) and an urgent request from Rappahannock

County “that care may be had for the erecting townes in every County in this Collony wth all Convenient Speed.” Considering the anger that was expressed towards the local county leadership in many corners of the colony, new urban communities with distinct social and political hierarchies may have even been viewed as a way to neuter elite influence. 36

The events of the rebellion itself had underscored how important urbanity was to the colony’s political constitution and, if anything, had raised the stakes over who controlled the region’s urban spaces. When Bacon returned to Jamestown with his troop of volunteers to extort approval for his military commission from the assembly, derisory contemporary accounts suggest that he lingered in the town soaking up the atmosphere of power before news from the frontier forced him to satiate the anger of his men with a campaign. No sooner had he reached the Virginia backcountry than news reached him of Berkeley’s failed attempt to raise a force against him and subsequent flight to the Eastern Shore. Bacon quickly retraced his steps and occupied Jamestown, and it was at this point, with the colony’s only urban space secured, that Bacon felt confident enough to issue his truly radical “Manifesto” and his “Declaration of the People.” The fact that Bacon made these bold statements from Middle Plantation rather than Jamestown perhaps reflected a continued distrust of the Berkelian symbolism of the capital, or it may have been purely a question of space and convenience, because there was more high ground at Middle Plantation on which to encamp an army and it lay on the main road up the peninsula to the frontier. Nonetheless, he recognized control of Jamestown as crucial to his political legitimacy. Bacon quickly

36 CO 1/39, f. 197-242. Brent Tarrar has recently called for scholars to make better use of the post-rebellion grievances in understanding the causes of the revolt, and he uses them to emphasize the problems with local leadership in the 1670s, but he neglect to mention any of the comments or concerns about urbanization that run throughout the county grievances – see, Brent Tarrar, “Bacon’s Rebellion.” For the misuse of the grievances as evidence of anti-urban sentiment, see Angelis, “By Consent of the People.”
returned to his war with the Indians, leaving a garrison at Jamestown to guard the symbolic heart of the colony, but this precaution proved ultimately insufficient. ⁵⁷

Reinvigorated by a minor victory over Bacon’s allies on the Eastern Shore, Berkeley launched a counterattack. Significantly, instead of landing at the tip of the peninsula and marching inland, or sailing up the James to hunt down Bacon along the fall line (both of which would probably have brought a swifter end to the revolt), Berkeley elected to retake the colony’s only urban space and reclaim the legitimacy that it implied. As generations of colonists had discovered, the city was isolated and badly provisioned with food and fresh water, but it was rich with symbolic significance. A letter to the king from Berkeley’s key allies, Thomas Ludwell and Robert Smith, while the governor was still on the Eastern Shore had already proposed that if English troops were to be used to suppress the rebellion, they ought to be sent “directly to James Towne” and should immediately call a new assembly to reestablish order. This suggests that the plan for first reoccupying the capital had been chewed over by the governor and his allies before they ever acted upon it, and it also explains why, once they had taken possession of the town, they attempted to consolidate the position rather than striking out across the country to track down rebels. For Berkeley and Bacon, Jamestown’s status as a governmental centre made it a node of power amidst the tidewater landscape; it defined how they structured their political activities, whether by bypassing the capital or focusing disproportionately on its occupation. The city was thus at the crux of a tension reminiscent of seventeenth-century London’s struggles between court and corporation – it was the very heart of government and authority for the colony, and yet

it had an independent community of tavernkeepers and townspeople such as Lawrence who resisted an authoritarian vision of its daily life. 58

Such divisions were all the more difficult to resolve when the colony’s economic circumstances produced no overwhelming organic urban growth, and they would persist in the Chesapeake for many years, but during the autumn of 1676 they reached a crescendo of flames. News of Berkeley’s successful return to Jamestown reverberated around the colony, and evidence suggests that during the governor’s fleeting occupation of the town Bacon may have suffered considerable desertions. Berkeley himself certainly thought so: he later recounted arguing with his deputies during the siege and representing “to them the reputation we should lose [by abandoning the town] and not only that but many hundreds that were now declaring for us.” Bacon quickly realised that he would have to act to secure the city once again. He marched his force to the isthmus connecting Jamestown to the mainland, dug siege trenches, and within a matter of days had ousted Berkeley from the town. With the governor’s retreating ships once again slinking down the James, Bacon, Drummond, and Lawrence made the bold decision to set the town ablaze, starting with their own prestigious houses. The conflagration enveloped the small settlement. 59

The fire left a scar not only on the Chesapeake landscape but also on Virginia political culture. Seeking partly to excuse Bacon’s actions, some contemporary commentators and historians portrayed the decision as purely tactical, but other observers were not convinced – Ann Cotton, in her epistolary description of the events, noted that Bacon “burns it downe to the ground to prevent a futer seege, as be saide” (my emphasis). 60

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58 Andrews, Narratives, 22, 68, 128-29; CO 1/20, f. 218-19; CO 1/38, f. 35.
Cotton knew that Jamestown posed little threat to Bacon simply as a military outpost. Decades of experience had taught Virginia colonists that as a fortification it was far from ideal, situated as it was on low-lying, nonagricultural land, with minimal supplies of fresh water and a brutal disease environment. There were not enough houses in which to station a viable army, and even with the food stores that had been left in the cellars Bacon had been able to break the spirits of Berkeley’s men within five days – and the stores, of course, were now gone. The rebels were far more concerned with suppressing the symbolic significance of the space for Berkeley. The governor’s bold reconquest had demonstrated that despite Lawrence’s efforts in the assembly, it was still primarily a seat of provincial authority rather than an independent borough. It was safer to destroy completely this rough-hewn copy of Restoration urbanity. Unfortunately for Bacon, he did not long outlive the town; after he fell victim to disease within a few months, his revolt crumbled and Berkeley returned once more to exact bitter retribution on his followers.

The battle over Jamestown’s identity is one of the most overlooked aspects of Restoration Virginia and Bacon’s Rebellion. The conflagration at Jamestown is generally seen as another lamentable episode in the history of the failed urban efforts, and the complaints about the excessive costs of town building are portrayed as evidence of a narrowly pragmatic individualistic attitude on the part of ordinary Virginians, who were satisfied to toil away in pursuit of short-term goals on isolated plantations, unmolested by any governmental

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61 This was the assessment of at least one anonymous contemporary commentator. His account included a brief description of Jamestown Island as “low ground, full of Marches and Swomps, which make the Aire, especially in the Summer, insalubritious and unhealthy: It is not at all replenished with springs of fresh water, and that which they have in their wells, brackish, ill scented, penurious, and not grateful to the stomack; which render the place improper to induce the commencement of a siege.” Anon., A Narrative of the Indian and Civil Wars, 69. Modern ecological study also supports this view of Jamestown’s seventeenth-century environment: Carville Earle, “Environment, Disease, and Mortality in Early Virginia,” in The Chesapeake in the Seventeenth Century: Essays on Anglo-American Society, ed. Thad W. Tate and David L. Ammerman (Chapel Hill, N.C., 1979), 96-125.

62 For detailed treatment of the retributions, see Webb, 1676, 124-27, 149-56.
schemes or initiatives. But a close reading of the debates and complaints cannot support this image or account for a man like Richard Lawrence, who more than one chronicler of the rebellion fingered as the real mastermind behind Bacon's bombast. For Lawrence and his disaffected friends, a town was not an expensive luxury but a necessity, and the way that town was governed and political debate structured within it was the best indicator of the health of the entire body politic. Berkeley's Jamestown and the image of elite urbanity that Roger Green had laid out in Virginia's Cure were reminiscent of Charles II's attempts to gain increased control of English towns, and they were among the most visible signs of his "French despotist methods." Unlike Charles II, however, Berkeley had not been able to attract enough loyal supporters to shore up this urban edifice, creating the space for men such as Lawrence to assert claims to town common land and hound the clerk of the council. Charles was rightly concerned about Berkeley's leadership after news of the revolt reached England; the aging governor was recalled and died shortly after returning to England.64

However, the king was overconfident in questioning Berkeley's failures in government, because before Virginia had fully regained its equilibrium, a similar crisis broke out in England. In the mid-1670s political tensions surfaced about the king's succession. Charles was a Protestant, but had gradually increased toleration toward Catholics while persistently failing to father a legitimate heir, making his Catholic brother James, Duke of York, next in line for the throne. Partisan conflict burst forth in 1678 when a fabricated story of a Catholic plot to murder Charles spread through London faster than the fire had ten years before. For the next ten years, royal authority in London and many other boroughs around the kingdom was tested. Charles II and later James II redefined urban government

63 This critique is directed primarily against Rambolt, From Prescription, chap. 2; Angels, "By Consent of the People."
64 Both Thomas Matthew and John Cotton blamed Lawrence for the ideological core of Bacon's Rebellion, see Andrews, Narratives, 40-41, 96 (quote, 40). For Berkeley's recall, see Billings, Sir William Berkeley, 249-51.
during these years and sharply constricted the independence of boroughs, changing the connotations of urban government for the entire English Atlantic world.65

As these dramatic changes gripped London they were increasingly acted out on the metropolis’s stages, which were enjoying a Restoration renaissance, through satirical and political theatre. However, because of the tense political atmosphere playwrights of all persuasions were forced to seek out new setting and allegorical frameworks through which to comment on the events of the city. It is testament to the Atlantic nature of the debate over the nature of civic politics and its relationship to wider authority in Virginia, that at least one writer in the metropole – the leading royalist and pioneering female playwright Aphra Behn – dedicated an entire play during this era to exploring Bacon’s Rebellion, and reflecting on the similarities between the domestic troubles of London and Jamestown’s malaise.66

Behn’s play, entitled The Widow Ranter: Or A History of Bacon in Virginia, was written in 1688, after a decade of tumult in English urban politics, during which numerous corporate charters had been revoked and remodelled and the crown had taken direct control of the city.

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66 For the partisan political stereotypes of Restoration theatre, see Susan J. Owen, Restoration Theatre and Crisis (Oxford, 1996), chap. 4; Mark S. Dawson, Gentility and the Comic Theatre of Late Stuart London (Cambridge, 2005), 27-71; Susan Owen, “Behn’s Dramatic Response to Restoration Politics,” in The Cambridge Companion to Aphra Behn, ed. Janet Todd and Derek Hughes (Cambridge, 2004), 68-82. The heyday of Behn’s partisan city comedy form came amidst the Exclusion Crisis (1678-1681) when she produced (amongst others) Sir Patient Fancy, The Second Part of the Rover, The Roundheads, and The City-Herares. But beyond the satire of urban citizens, Behn had also explicitly explored the relationship between the country and the city in these plays. In Sir Patient Fancy the eponymous character is a hypochondriac Whig alderman who repeatedly threatens to flee the city, implying that even citizens are terrified by the plot-ridden urban landscape they have created; toward the end of the Exclusion Crisis in The City-Herares (1682), the country appears to invade the town and achieve a more ideal balance as Lady Galliard (the heiress of the title) likens her townhouse balcony, where she can discourse with her Tory suitor, to a “City-garden.” For another perspective on pastoralism in Behn’s works, see Edward Burns, Restoration Comedy: Crisis of Desire and Identity (New York, 1987), chap. 6. For Behn’s other plays cited here, see Janet Todd, ed., Works of Aphra Behn, vols. 6-7 (London, 1996).
of London in an attempt to quash opposition. It was Behn’s final work, and reflected on this process just it came crumbling apart with a groundswell of opposition to James II that led to the Glorious Revolution and his expulsion from the throne. The play itself was a heavily fictionalised dramatisation of a rebellion that had gripped Virginia twelve years earlier.

Behn’s retelling of the revolt meddled with numerous details, including excising Sir William Berkeley entirely, and establishing a romance between Bacon and a local Indian queen, however it paid particular attention to Jamestown’s urban inferno. Rather than lamenting the fire as a symbol of colonial incivility, however, Behn’s pro-Stuart politics led her to dramatize the rebellion as a conflict between Bacon, the legitimate cavalier patriarch of Jamestown, and corrupt urban authorities in the colony. She adjusts the story of the Jamestown conflagration to suggest that it was primarily the fault of an inept and disloyal urban elite and that Bacon eventually spared the city from the flames because of his royalist heroic character. This reworking of the story demonstrated that there were common concerns on both sides of the Atlantic about how a capital city should function and how it should be governed. Although Behn portrayed Bacon’s attitude toward Jamestown in ways that were completely at odds with the actually civic opinions of men like Richard Lawrence ten years before, she had readily identified that the political status of Jamestown and London was bound up with questions about legitimate authority within the realm in general. In this way Behn used the government, social sphere, and eventual conflagration of Jamestown to comment on the status of the urban debate in England. *The Widow Ranter*, therefore, is not simply an English vision of the exotic colonial world but part of a circum-Atlantic debate over urban political culture in an era of expanding state and imperial control. Although it was written ten years later, after much unrest and division in 1680s England, it serves to
emphasize the stakes that had been involved in the debate over Jamestown during Bacon’s Rebellion and the way in which they resounded around the Atlantic world.  

There is no question that Restoration Virginia was a disturbed and divided society. Deep-seated troubles, rooted in the uneven distribution of land, the form of local government, and the woeeful price of tobacco, not to mention the menace of Indian attacks, gradually brought Berkeley’s administration to its knees. Historians have charted these troubles and explained why they drove a wedge between Berkeley and the majority of ordinary colonists. They have highlighted the governor’s autocratic political ideas as the root of his downfall, and John Rainbolt has summed up his attitude toward economic policy in particular as “prescriptive” rather than “persuasive.” He suggests that everyone understood the colony’s economic woes, but most colonists resented the elite’s expensive projects for addressing the problems. In the process, however, scholars have fallen into two traps. Firstly, they have fully equated town development with an economic diversification agenda, when it was in fact a far more complex political and cultural calculation with roots dating back to the very foundation of the colony; this has even influenced the way that archaeologists have viewed Jamestown and led them to simply search for changes in urban functions as a yardstick for “success.” Secondly, the focus on “prescription” has deprived ordinary colonists of agency in the shaping of colonial policy and ideas about Virginia’s social structure. Berkeley has been seen as the only projector and planner in the period, and sceptical colonists worried about the following year’s tobacco harvest have been reduced to miserly naysayers.

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67 For a more detailed analysis of the play and the way that it reflected upon the circumstances of the debate over Jamestown in the actual rebellion, see Paul Musselwhite, “What Town’s this, Boy?: English Civic Politics, Virginia’s Urban Debate, and Aphra Behn’s The Widow Ranter,” *Atlantic Studies* 8.3 (September 2011): 1-21.
68 Rainbolt, *From Prescription*, chap. 2.
In fact, most Virginians in this period had experienced the most turbulent and jarring political dislocation in English society for half a millennium, which had unfolded over the previous two decades in the mother country. Questions about the independence of towns had been a major part of these disputes, and the Civic Corporations Act of 1661 ensured they remained so after the Restoration. These constitutional conundrums were circulating in the Atlantic world, and so when Berkeley travelled to Restoration England and returned with a new redevelopment plan for Jamestown, devoid of any references to manufacturing, and with scaled-down ambitions about the town’s mercantile controls, it was more than an economic experiment. Disputes over Jamestown paralleled a general increase in resentment of Berkeley’s administration over the next fifteen years, but settlers did not merely resent the unbearable costs of the plan imposed by a narrow coterie of elite statesmen. The question was not whether towns were too expensive, but what the money and effort was expended to create. Once colonists got a clear sense of the Restoration vision of a capital city arranged around a grand brick square with the governor as primary landlord and the county elites as major stakeholders, they balked. When the costs involved and the threat of war discouraged even most of the governor’s allies from partaking, Jamestown’s renaissance was largely abandoned, which only created a space for more modest urban residents to build and repair their wooden houses and assert their own independent identity. This more traditional urban identity ultimately fed into the rebellious sentiment in Virginia and helped to spur on Bacon’s uprising to bring down the whole edifice of Berkeley’s Restoration dream.

This was not just a case of metropolitan norms miscarrying in the colonies, though. Beginning in 1678, plots, parades, and protests gripped England’s towns for a decade and revealed that direct executive control over urban institutions was resented just as strongly in the kingdom’s British provinces. The trouble with towns in Virginia was part of an Atlantic
debate about urban governance and the nation-state. The connections between the battle over Jamestown and the Stuart crown’s fight with the London citizenry were so pronounced that they were picked up by Aphra Behn. Lowly Jamestown and mighty London were cities of vastly different scale, but this discrepancy should not be an excuse to dismiss the political connotations of the colony’s protourban space. Charles II had proposed that Jamestown be forever known as “the City of Jamestown,” and the little settlement on the James River was consistently referred to as the “metropolis” of Virginia. This was not a goal for some distant future or a dry form of seventeenth-century irony. In both England and its young colony, projectors, politicians, and plebeians all wrestled with how far the city (especially the capital city) existed to project royal or provincial authority and social hierarchy on the wider society, and how far it was designed to cultivate common interests and community that would breed civic virtue, independence, and conditional loyalty. In Virginia questions about who controlled the pace and direction of diversification or who manipulated the tobacco crop, and in England disputes about who regulated religious tests or selected parliamentarians, were all caught up in this question of urban governance.

English events of the 1680s, which inspired Behn’s retrospective on the Virginia of 1676, also shaped the changing politics in the colony more directly. Charles and James’s showdown with the kingdom’s boroughs during the decade was part of a broader tightening of the machinery of state that also encompassed much closer oversight of England’s American empire. In the aftermath of the rebellion in Virginia, both these newly zealous English authorities and the colonial leadership returned again to urban development as an

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economic and political panacea. Unsurprisingly, though, given the turbulent nature of English urban politics and the continued tobacco depression, town planning remained contested. The provincial elite crafted new urban plans designed to address some of the frustration that had been vented on the buildings of Jamestown, but they were forced to confront a new imperial state that had a clear idea of what urban government should look like not only in Cheshire but also in the Chesapeake.
Fig. 2: Towns founded in Virginia, 1680-1706. Town names are only given where the name is used in contemporary sources. Map drawn by Sarah Park.
Chapter Three

"that most necessary Concern of Towns": Local Community and Atlantic Empire in Virginia, 1677-1688

An air of uncertainty hung over Virginia in the spring of 1677. Though trees and fields sprouted new growth, it was yet unclear whether the colony itself would see this kind of rebirth. Derelict and looted plantation homes pock-marked the landscape, and despite royal instructions to the contrary, many of Bacon’s men were swinging from the end of a hangman’s noose. Jamestown was in an especially woeful state: all the rowhouses were burnt-Out skeletons standing guard over empty streets. And it was not just the physical structures that lay in ruins. The community and social order that Berkeley had worked hard to foster had collapsed. The leadership of the old governor’s allies had been undermined, and they worked furiously to exact retribution. In re-establishing their position, though, this colonial elite encountered a new opponent—the royal commissioners who had been sent to restore order in Virginia, and who arrived in January 1677. Sir Herbert Jeffreys (appointed to replace Berkeley), Sir John Berry, and Francis Moryson had instructions to limit recriminations and establish imperial oversight. Their presence and their agenda were resented from the moment they stepped off the ship and it was quickly apparent that Virginia would not be remodelled without a fight. Homes had to be rebuilt, crops planted, and courts and churches reopened, but how to achieve these goals on a firmer foundation was as yet unclear.¹

Three and a half thousand miles away, London had already recovered from its devastating fire, but was also humming with uncertainty and tumult. Charles II’s liberal attitudes toward Catholicism, his too-friendly relationship with the French court, and the

¹ This description of Virginia is largely drawn from CO 1/41 and 5/1355. See also Warren M. Bilhings, Sir William Berkeley and the Forging of Colonial Virginia (Baton Rouge, La., 2004), chap. 14; Stephen Saunders Webb, 1676: The End of American Independence (New York, 1984), 127-64.
increasing tax burden were all sore subjects, especially in the capital. By 1678, the crisis hit fever pitch with the spurious discovery of the Popish Plot, and a furious attempt began to remove James from the line of succession and clip the wings of royal authority permanently. Faced with these challenges, the king gradually came to articulate a more expansive view of royal prerogative and became increasingly suspicious of the urban politics and popular protests that gripped the kingdom's boroughs. As discussed in the previous chapter, the 1680s would be a time of dramatic urban change in English politics.  

In the midst of these crises over the political and social constitution of an English corporation, the idea of towns in Virginia returned to the forefront of provincial and imperial policy. After reading the county grievances from across Virginia, many of which advocated urban development, Whitehall officials decided that towns would be central to the renewal of the colony. As early as December 1677, they wrote to Jeffreys to ask, “What are the most convenient places within your Government for building of Towns for the convenience of Trade and Security of the Inhabitants, and how they may bee settled?”

This simple query launched a decade of transatlantic tussling. What were the most “convenient” places? The answer depended upon whose convenience was paramount, and what kinds of places were to be created. Past urban efforts in Virginia had stumbled amid tensions within the colony or between planters and merchants, but new town-building plans would pit colonial leaders against Whitehall officials who were being schooled in the riotous realities of English civic government and the Stuart monarchs’ ambitious state-building. The Restoration urban vision of elite speculative building and royal control was bearing fruit in London in the form of ambitious boosters such as Nicholas Barbon, who produced his

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2 For English domestic politics in 1677-78, see Mark Knights, Politics and Opinion in Crisis, 1678-81 (Cambridge, 1994), chap. 1. For the royal attitude to boroughs, see Paul Halliday, Dismembering the Body Politic: Partisan Politics in England's Towns, 1650-1730 (Cambridge, 1998), 124-43.
3 CO 5/1355, f. 240 43.
*Discourse Shewing The Great Advantages That New-Buildings, And the Enlarging of Towns and Cities Do bring to a Nation* just as Virginia’s redevelopment was being inaugurated. Imperial officials who now advocated urban development in Virginia sought to use towns as nodes of empire—places where administrative power could reside, information could be gathered, and fees and taxes could be collected. At the same time, the colonial elite who had been thrust aside by the rebels were seeking to reassert and secure their power, and they saw a town in every county as a useful anchor for a sturdier new hierarchy and a space where troublesome inferiors could be managed. Through the 1680s they increased slave importations and fostered their considerable plantation estates. With African labourers now tending the tobacco, towns might provide an outlet for excess white labour, but only if they remained under local elite control. These two urban objectives were more thoroughly articulated than any that had gone before, and they inevitably clashed during the following decade.

John Rainbolt recognised a populist strand in the Virginia elite’s urban development plans during this era, and described it as part of a policy of “persuasion,” but because his concern was with the colonial economy he dismissed the perspective of English authorities as merely a product of imperial mercantilism. In so doing he vastly overstated the degree of opposition and scepticism in England over colonial urbanization and reduced the issue to one of domestic social hierarchy within the colony. Other scholars have analysed the contest between Virginia’s leaders and English authorities over town building for the contribution it made to the questions of colonial rights and constitutional procedures, but they overlook the

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4 [Nicholas Barbon], *A Discourse Shewing The Great Advantages That New-Buildings, And the Enlarging of Towns and Cities Do bring to a Nation* (London, 1678).


fact that the stakes involved were far more than assembly prerogatives and gubernatorial liberties; urbanization challenged the whole structure of Virginia society and the penetration of empire into the shallow creeks and rough-hewn tobacco barns of the Chesapeake landscape. This account will combine the provincial debates with the few surviving accounts of town building in Virginia’s disparate locales during the decade, with transatlantic epistolary exchanges, and with urban development in England, to uncover the true political and imperial stakes of the urbanization. Throughout the decade, through four pieces of legislation and countless sets of orders and instructions, town development was at the heart of most major constitutional struggles, and urban space became a key battleground where Virginia’s place within the tightening English imperial web was fought out.

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The royal commissioners, hastily dispatched from England upon news of Bacon’s Rebellion, were still battling the winter swell of the North Atlantic when William Berkeley vanquished the remnants of Nathaniel Bacon’s army. He set out to reestablish the colony’s constitution by calling a new assembly to meet at his Green Spring Plantation a month later. The new imperial officials with orders to replace Berkeley and investigate the causes of the revolt were therefore not warmly received. Nonetheless, the royal commissioners tried to exert control over the rebuilding of the colony. Instead of waiting for Berkeley’s new assembly to gather, they bypassed the provincial body and the county benches by issuing an order to the sheriffs of each county to compile lists of popular grievances. They also demanded that all county officials take new oaths of loyalty to the crown. They were convinced that the Virginia elite had lost the confidence of ordinary colonists and believed that the easiest way to rectify the

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problems was to establish direct ties between imperial officials and local communities. In soliciting the people’s grievances, the commissioners repeatedly cited the king’s personal interest in the concerns of ordinary people and stated that they should bypass the structures of authority in their counties “without any kind of feare or favour of or to any person or persons of what Degree, ranke or quality.” The gathering of grievances from across the colony was deeply resented by Berkeley’s allies; they viewed it as a trespass on their spaces of political influence, and in fits of rage and exaggeration some even claimed that it was more illegal than Bacon’s rebellion itself.²

Writing to England within days of their first landing, Berry and Moryson also explicitly tied political upheaval to the colony’s social and settlement structure. They claimed that ordinary colonists resented Berkeley’s vengeful retribution. Unless “care be not had how to heale up matters firmly ... they will either Abandon their Plantations, putt off their servants, and dispose of their Stocks, and away to other Parts; or else the most part them will make Corne instead of Tobacco and soo sullenly sit down careless of what becomes of their own Estates, or the Kings Customs.” They argued that existing local government had failed to provide a civic arena in which ordinary planters had a stake; the dispersed manner of settlement was already well known, and the prospect that it might get worse if colonists “sullenly sit down” necessitated action to preserve order and, crucially, royal revenue.

Political order, settlement structure, and economic output could not be disentangled in the aftermath of the revolt, and although there was no mention of new towns at this stage, the

² Samuel Wiseman, the commissioners’ secretary kept a notebook that has survived. On the first page he listed all Virginia’s counties, suggesting that the structure of local political power was central to in their view of the commonwealth. See Michael Leroy Oberg, ed., Samuel Wiseman’s Book of Records: The Official Account of Bacon’s Rebellion, 1676-1677 (Lanham, Md., 2005), 29, 68-71; Coventry Papers, Longleat House, Wiltshire, vol. 78, f. 168-69. Most counties returned grievances, but the lists reflected continued struggles in local communities. For the grievances, see CO 1/39, fols. 194-255; for analysis, see Brent Tarter, “Bacon’s Rebellion, the Grievances of the People, and the Political Culture of Seventeenth-Century Virginia,” T M H B 119 (2011): 3-41.
royal commissioners were clearly aware that more thorough imperial oversight of the colony’s local political institutions was necessary.\(^{10}\)

In this tense atmosphere, the new assembly gathered. The elected burgesses were mostly Berkeley’s allies who had lost a great deal in the uprising and they spent a month ruminating on how they might recoup their losses and strengthen their hold on the colony. In addition to condemning rebels and compensating loyalists, they began to redraw Virginia’s political topography. Although they ignored almost all of the grievances the commissioners collected, they acted upon a number of those presented from the counties of the Northern Neck. They agreed to establish a commission of local men to redraw all the county boundaries so that they cut across that peninsula rather than running down its spine. This was an explicit slap in the face of the king’s chosen proprietors who claimed the sole right to grant land and organise settlement in that region. The decision to establish the local commission asserted that local leaders should have the right to organise their settlements as they wished and that this might avert further upheaval.\(^{11}\)

On the same day, burgesses also made a far more dramatic move. With little debate, and scarcely any prior hints in letters or reports, they assented to another of the Northern Neck counties’ demands, about the need to move the colony’s capital northward. The delegates bluntly noted that:

the state house being now Burnt downe by that Arch Rebbell and traiter Nathaniel Bacon the younger, and also the houses in James City And for as much as Tyndalls poynte is supposed and accompted, to bee the most Conuenient place for the Accomodation of the Country, in gennerll to meet

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\(^{10}\) Oberg, *Wiseman’s Book*, 67.

\(^{11}\) *JHB*, 2: 68-80; *HS*, 2: 366-406. Elsewhere in the colony, Berkeley and his allies sequestering goods from former rebels. When pushed to justify his actions, Berkeley claimed that “almost all my Neighbours have had considerable shares of my Goodes, and they have beene willing to spare me: some Corne and Hogs, in lieu of what they stole from me.” He implied that the rebellion had overturned the local hierarchy and sequestration of goods was a natural way of rebuilding those ties. The victims likely did not see it this way, but it suggests the way elites sought to re-establish political order at the neighborhood level. See Oberg, *Wiseman’s Book*, 82.
att, that therefore the state house for the time to Come, Bee Built att Tindalls poynte.

With a few scratches of the clerk’s pen, this first post-war assembly gathered at Green Spring elected to reorientate the entire geography of colonial Virginia. They would abandon Jamestown and build a new capital at Tindal’s Point at the mouth of the York River (now known as Gloucester Point). This hasty order reveals a number of important things.  

Firstly, the translation of the capital underscored the delegates’ belief that they, and not the royal commissioners, should define the rebuilding process to suit their own needs. They may have sought to relocate the assembly away from the royal commissioners’ base near the ruins of Jamestown, where the commissioners initially intended to house as many troops as possible. The commissioners opposed the relocation vigorously, describing Jamestown as “the antient & most convenient place of congresse” and suggesting that any move would “bee destructive to the Kings ... interest.” Jeffreys argued that Tindal’s Point was “more remote and lesse fitt for Public Convenience and Fortification” and that the proposal was just designed to slow reconstruction at Jamestown and leave him “destitute of a Place to putt my head in.”

Secondly, the decision demonstrated that local leaders did not think the political and economic functions of a town needed to be welded together. They permitted the rebuilding of houses at Jamestown but saw no dissonance in then moving the colony’s capital city to a completely different river. Equally, the provision for the new capital was extremely low on detail – no money was set aside, no site was to be surveyed, and the order never implied that the new capital would garner the status of a “town.” In an appeal to the crown in support of the new capital, the burgesses did note that the site boasted “greate helpe to a town or city”

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12 HIB, 2: 78.
13 CO 1/39, f. 199; Coventry Papers, Longleat House, vol. 78, f. 44.
in the form of wood and fresh water and that it was convenient for trade, but planters from the Middle Peninsula and Northern Neck were motivated by their own convenience and the influence that would redound to them through closer proximity to the capital.  

Berkeley's allies who met at his plantation in the spring of 1677 acted out their belief that the reestablishment of order in the colony would require a reestablishment of spatial and social boundaries. They definitively reasserted their control over Virginia's local institutions, and the evidence of the Northern Neck petitions suggests that town development may have already been lurking in the minds of the men who pulled the strings at Green Spring. But they were concerned primarily with political organisation. Given the fact that the rebellion had only ended a few months before, and many colonists were faced with lost revenue, looted homes, and unplanted fields, it is unsurprising that they did no more than explore new ideas during their first new session – in fact the ideas about towns and a new capital were all the more ambitious in the circumstances, and would likely have developed internally if Whitehall's new representatives had not made their presence felt. The burgesses were not wrong to sense a threat from the arrival of soldiers and officials on Virginia's shore in early 1677. In London there was also serious debate about the state of the colony. That debate, just like the one going on in the colony itself, was framed by the belief that Virginia's local institutional order needed to be adjusted. English officials were as concerned as the colony's burgesses that Virginia embark on a urban development plan.  

For London officials who only ten years earlier had endured the worst urban conflagration in English history, the news of Jamestown's incineration probably weighed heavy on the mind. However, before news of the arson ever reached Whitehall, there was already a sense that stunted urban development had played a part in the revolt. William

14 II/II, 2: 73-78; Coventry Papers, vol. 78, f. 303.
15 The news of the Jamestown fire was central to printed accounts of the rebellion, see above p.156-60.
Sherwood, who brought the first account of the rebellion to England, despite departing before the fire at Jamestown, began his narrative with a rumination on Virginia’s lack of urban development. Though Sherwood’s pamphlet’s subtitle promised “Murders” and “Rebellious outrages,” his account opened with a detailed explanation of the Virginia court system, the counties, and the composition of the provincial assembly. Immediately after this, Sherwood touched upon the colony’s failed “endeavours of fortifications.” Rather than discussing the potential role of fortifications in defence against Indians or in suppressing rebellion, however, Sherwood focused on the way that they might have centralised shipping and trade, “causing Warehouses to be built, and soe in p’cess of times Townes.” He recounted how Berkeley had advocated for town development and spent vast quantities of his own money at Jamestown, but the “importunity” of the burgesses had blocked the plans and colonists had patented huge tracts of land and “turne[d] Land lopers” (speculators). The nature of this speculation had pushed colonists to the frontier and bred the confrontations with Indians that were at the core of Bacon’s uprising. Colonists’ failure to settle in towns, then, was at the very core of the colony’s “Deploured Condition.” It had bred revolt.16

Implicit in these early pages of Sherwood’s account was a plan for restructuring the colony. Although he made much of Berkeley’s 1660s endeavours to redevelop Jamestown, Sherwood’s complaints shifted the debate slightly. Moving from discussions of the counties to the idea of bringing the “tobacco of every County ... to p’ticular places,” he replaced Berkeley’s single-minded focus on Jamestown with a vision of trading entrepots across the colony. Sherwood construed the town not as an elite island but as a mercantile centre for the county communities. At these sites trade could be managed and English shipping protected by urban fortifications. Although his description of the county system had not been negative,

16 William Sherwood, “Virginia’s Deploured Condition,” in Collections of the Massachusetts Historical Society, 4th ser., 9 (1871): 162-65. Sherwood was also key to Jamestown rebuilding, see McCartney, Documentary History, 319 22.
it did suggest that important powers had been devolved across the landscape. The towns he hinted at establishing promised to bring order to settlement and trade.\footnote{Sherwood, “Virginia’s Deploured Condition,” 164. English shipping was vulnerable in the Chesapeake during the Dutch wars because of the failure to organize fortifications. See Billings, Sir William Berkeley, 221-26; April Lee Hatfield, Atlantic Virginia: Intercolonial Relations in the Seventeenth Century (Philadelphia, Pa., 2004), 48-52.}

Sherwood’s analysis alone would have done little to provoke action, but his ideas fell on fertile ground. The revolt in Virginia had severely reduced tobacco exports and thus had a dramatic impact on customs revenue. With other sources of royal income also constricted, the crown was facing a financial crisis, which was contributing to political meltdown in the metropole. Any scheme to quickly reestablish order in the colony and wring additional funds out of the tobacco trade was soothing to royal nerves.\footnote{Knights, Politics and Opinion, 20-26; Robert M. Bliss, Revolution and Empire: English Politics and the American Colonies in the Seventeenth Century (Manchester, 1990), chap. 7.} Furthermore, the suggestion fit with existing royal efforts to also expand customs and excise income in England during this period by restricting trade to urban hubs. Charles II’s chief baron of the exchequer, Sir Matthew Hale, had penned a detailed treatise on the hierarchy of port towns in England, and in 1671 the crown had stopped farming out customs collection in English ports. Just as Sherwood sailed into the Thames, Whitehall officials were debating ending the farm on excise collection too and had begun the effort to establish a strict oversight system for trade in all of England’s towns. Sherwood’s opinions, combined with the lists of grievances from Virginia counties calling for town establishment (which arrived in London by the autumn of 1677), invited administrators to solve the colony’s problems and their own revenue concerns in one dramatic move.\footnote{R. C. Jarvis, “The Appointment of Ports,” Economic History Review 11 no. 3 (1959): 455-66; William Ashworth, Customs and Excise: Trade, Production, and Consumption in England, 1640-1843 (Oxford, 2003), 110-16.}

After the grievances of Virginia’s counties were collated and sent to England with the commissioners’ confirming opinion that towns were “greatly to be desired and well to be encouraged,” Whitehall officials wrote to Jeffreys (who remained in the colony as lieutenant
governor) asking him to recommend locations, citing the crucial dual purpose of “Trade and Security.” Jeffreys never responded – he spent much of 1678 battling opposition from the provincial council, continued Indian unrest, and chronic illness that finally spelt his demise in December of that year. This did not deter metropolitan officials. Just a month after soliciting Jeffreys’s advice, they began planning an agenda of urban reform, suggesting that:

There bee Towns built there on one each great River if possible. And in order thereunto that after sufficient notice to provide Warehouses and other conveniences, noe ships whatsoever bee permitted to load or unload but at ye said places where the Townes are designed, the chiefest whereof to bee neer the abovementioned Fort. And in case different Interests hinder ye Assembly there from agreeing the places. His Maty on report of the case to direct them and to grant them all necessary privileges as to Trade and Markets.

The stipulation of towns on each river rather than towns for every county marked a shift away from the proposals in the grievance petitions, suggesting their intention to maintain control of the process from Whitehall whilst garnering the benefits of urbanization.

Even though the policy was a key plank of the royal redevelopment plan for Virginia, any further action was entangled in the chaos that engulfed England in 1678. The initial plans were made in early January, but no proposals were finalized until the following December. Colonial affairs took a back seat to the domestic crisis of the Popish Plot. The hiatus allowed time for more opinions to be gathered. Virginia’s governor Lord Thomas Culpeper (Jeffreys was acting as his lieutenant in the colony), still in London, began receiving epistles from Virginia’s provincial leaders who were frustrated with Jeffreys, and London...
tobacco merchants manoeuvred for position in the post-rebellion marketplace. Most importantly, however, events in England made crown officials even more anxious about revenue but less convinced of their power to control civic institutions. Radicalism and demands for the Duke of York’s exclusion from the succession were national phenomena, but street demonstrations and protests in London drew particular attention to urban unrest. The king made plans to limit opposition in the boroughs and meddled with London’s internal politics as far as he was able. When the Committee for Trade and Plantations reassembled in December 1678, they persisted with their new plan for town development but began thinking seriously about its political implications. They had previously failed to decide “whether such Townes [built in Virginia] shall bee incorporated or have leave to send Burgesses.” After little debate they concluded that politicisation of these new urban nodes was dangerous and unproductive, and the provision was dropped.

Finally, the debate in Whitehall culminated in a new set of instructions for Culpeper by the end of 1679. His main objective was to secure the royal tobacco revenue on a permanent basis, but the urban ideas that had circulated around Whitehall for two years also featured prominently. Although Culpeper had received letters from the colony asking him to advise against rebuilding Jamestown as the “metropolis,” the royal instructions ignored this caution and insisted that the king had been “given to understand that James Town is not only the most ancient, but the most convenient place for the Metropolis of Our said Colony and Dominion.” The instructions explained that the primary goal was one town on each river to which all trade could be confined, and then insisted that of “the success hereof you

23 Although these letters have not survived, Jeffreys believed that such a correspondence existed. See Coventry Papers, f. 214, 226, 268-71. For merchants’ involvement in the post-rebellion debate, see CO 391/2, f. 259-60. 24 DeKrey, London and the Restoration, chap. 7; Tim Harris, London Crowds in the Reign of Charles II: Propaganda and Politics from the Restoration until the Exclusion Crisis (Cambridge, 1987), chap. 6; Halliday, Dismembering, 124-31. 25 CO 391/2, f. 275-78. For the part of Culpeper’s instructions on town buildings, see CO 5/1355, 345-47.
shall, from time to time, give us an account.” As Culpeper prepared for the arduous ocean crossing in the early months of 1680, what was eminently clear was that Whitehall officials had not just given a nodding consent to town building as an idle dream for Virginia (like Charles’s attitude toward Berkeley’s plans back in 1662), they had crafted the plan as a finely honed tool of empire in the light of contemporary English experience. Culpeper was under orders to make the king’s definition of imperial urbanity a reality.26

When he arrived in the colony, however, Culpeper did not find a fertile environment in which to cultivate royal urban designs. The colonial elite had worked hard to resist imperial impositions while Whitehall was dithering with domestic issues, and their attitude toward political control of colonial space had hardened further. They had not stopped complaining about Jamestown and had refused to work on redeveloping the city.27 Philip Ludwell had launched a more direct challenge to spatial authority in the colony when he lambasted Governor Jeffreys, describing him as “a pitiful little fellow” during a drunken rant. According to a witness, John Sayre, Ludwell was very conscious about where he was when he made his statements, goading Sayre to accompany him “across the River” to repeat the statements. At this point Ludwell was living on the family estate in James City County, but he obviously felt more comfortable expressing rebellious sentiments north of the York River where he felt Jeffreys held no sway. The provincial elite also acted through legislation to strengthen their hold on the colony’s county structure after Jeffreys’s demise in December 1678. During the April 1679 assembly session, they passed an act to significantly ease the drafting of county bylaws by the local justices.28

26 CO 5/1355, f. 326-56 (esp. 345-47).
27 For the persistence of relocation efforts, see Coventry Papers, vol. 78, f. 303. For the elite’s slow progress in rebuilding Jamestown, ibid., vol. 78, f. 44.
28 Ibid., vol. 78, f. 134; HS, 2: 441.
The 1679 session, however, also demonstrated continued divisions with the colony’s gentry over the rebuilding process. The burgesses had passed an act allowing Lawrence Smith and William Byrd to settle frontier garrison communities at the heads of the Rappahannock and James Rivers under their personal command and empowering them to create their own bylaws and militias distinct from the existing county structure. This provision was particularly unpopular with Nicholas Spencer, a council member from the Northern Neck, who likened the plan to gathering “all ye Ill Humors of A natural body ... in any one part” and said it would thus “Endanger ye whole.” When Culpeper arrived in the colony, he concurred with Spencer’s interpretation; he described the frontier settlement plan as “Cantonizing” and “not for the interest of the Country.” It represented a new way to organize space and authority in the colony, and Smith’s grant on the Rappahannock River posed a particular threat to Culpeper’s proprietorship in the Northern Neck. Another project that sought to work more closely with Culpeper’s proprietary pretensions was the brainchild of Northern Neck planter William Fitzhugh. Fitzhugh proposed to farm the quit-rents from his entire region (paying Culpeper a lump sum for the right to extract money from locals) and create an almost subfeudal barony, but the new governor declined the offer. All of these rival plans suggest that the political topography of Virginia remained in flux after the revolt; different factions had definite ideas about how power should be marked on the landscape and were working toward them. Culpeper blocked the frontier “cantons,” but the determination and division on display made it almost inevitable that the colony’s leadership would be unreceptive to Whitehall’s version of urbanisation too.


30 Richard Beale Davis, William Fitzhugh and His Chesapeake World, 1676-1701 (Chapel Hill, N.C., 1963), 146-47.
If the spatial politics of Virginia were still disturbed on Culpeper’s arrival, the economy was in even worse condition. The temporary rise in tobacco prices inspired by the rebellion had encouraged production and flooded the market. As elite planters struggled to re-establish their social order, they could no longer count on the weed to return a healthy profit. Former allies of Berkeley were once again loudly advocating a cessation in planting and a range of diversification measures, and Culpeper himself wrote to England that “the low price of Tobacco staggers me” and that “the continuance of it, will be the Totall and speedy ruine of this noble Colony.” But planting cessations and diversification did not square well with the crown’s desperate need to maintain tobacco revenues.31

These factors combined to make the assembly meeting of 1680 a tricky proposition. Culpeper’s first astute action was to reestablish the spatial hierarchy of the colony. He partly achieved this object by moving into Green Spring Plantation, Berkeley’s former home a few miles from Jamestown that had long-standing associations with authority over the Virginia landscape and had been a hub for the opposition to Governor Jeffreys. When the assembly session opened, Culpeper then made his way from Green Spring into the ruined capital that the Virginia elites were contemplating abandoning. Over the next two days, he engaged in a complex set of ceremonial procedures, calling the burgesses to meet him at the courthouse and then accompanying them to church before gathering them again in his presence, finally approving their nomination of a speaker, and welcoming them with an introductory speech. These elaborate steps were not innovative, but the fact that Culpeper insisted on them suggests that he was reconnecting political order with the built environment of Jamestown just as he had been instructed to do. We cannot know what the burgesses made of these prefacing perambulations, but two weeks into the session, when the proposal to relocate to

3 CO 1/45, f. 188. For tobacco prices in this period in Maryland, see Russell Menard, “Farm Prices of Maryland Tobacco,” MHR 68 (1973) 80-85; Rambolt, From Perscription to Persistance, 110-13.
Tindal’s Point (now in direct contradiction to royal instructions) was raised once again, it was voted down – Jamestown was re-established as the royal seat of Virginia.32

The more difficult task lay in securing royal revenue and urban development more generally throughout the colony. In his opening remarks, Culpeper tasked the assembly with laying aside the divisions of the post-rebellion period and approving permanent tobacco duties, but he also explained:

I am further Expressly Comanded to Acquaint you that his maty haveing in Councell Concluded on ye Necessity of haveing one or more Townes in yt Country (without wch no othr nacon evr bagun a plantacon, or any yet thrived as it ought) & observed yt all other meanes have bin uncessfull hath in order thereunto Resolved as soone as Storehouses & Convencys Can be to prohibit for shippes tradding here to Load or unload but at Certaine fixed places to be appointed under Necessary Penalties in ye denominacion whereof and all other Circumstances yt may make ye thing practicable. He thinks fit to take his measures by advice from hence - He doubts not but in a matter of such Consequence sevll difficulties will occur & as Little but yt on due Examinacon they will be Remedied.

The emphasis here was very clear. Urban development was a royal plan and Culpeper was merely seeking advice from the colony to lessen the problems of implementation. Elsewhere in his speech he expressed concern about falling tobacco prices, but at no point did he cite long-term economic advantages of urbanization – it was clearly a royal project and not a provincial panacea. Over the next month, however, the assembly did make a number of suggestions for the “Good of ye Country,” and urban establishment became caught between Culpeper’s royal instructions and the planters’ dreams of resurrecting the price of the weed.33

Over the next few weeks Culpeper’s efforts to secure a permanent tobacco duty were repeatedly frustrated. Burgesses concluded that “his Majesties poore Countrey” could not bear further financial burden. Two weeks into the session, after they again refused to

33 JHB, 2: 148.
reconsider their decision, the governor called them to join him in a conference. As they prepared for a showdown with the governor, the burgesses spent their morning debating for the first time the issue of town development. The only outcome of the discussion was a resolution that towns for the colony's various counties should "be appointed by ye Burgesses of this house" rather than by "the ffree holders in Each Countie." The delegates were evidently concerned to retain control of town placement rather than surrendering it to the vicissitudes of debate amongst the wider populace of each county - including former rebels. What is striking about their decision, however, is the way that it completely contradicted Culpeper's initial orders. The king had never implied that ordinary colonists or burgesses would select new town locations, and he certainly had not implied a town in each county. The burgesses had evidently decided to make their stance on urban development clear just hours before their conference with the governor about imperial taxes.  

After being prevailed upon by Culpeper that afternoon, the burgesses agreed to the perpetual tobacco revenue the crown so dearly desired. Having won these victories, the governor was not inclined to fight them over any further royal policies, and this may have been part of the deal he agreed to get the revenue measure passed; aside from making such compromises, Culpeper had few ways of forcing the assembly to approve the revenue measures. He allowed the session to continue long enough to design and draft a town act but took little further part in the discussions. Culpeper's failure to enforce royal control over the urbanizing agenda during the waning days of June 1680 had consequences for the rest of the decade because it reinforced the conviction of post-rebellion councillors and burgesses that

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[^1]: *JHB*, 2: 129.
they were free to shape the colony’s political topography, despite Whitehall’s detailed and considered instructions about the province’s urban foundations.\(^{35}\)

Remarkably little disagreement or debate was recorded about the final shape of the 1680 town legislation. It was formulated by a committee composed of burgesses from across the colony, which may explain why it was accepted by the whole chamber with little dissent. However, the legislation vividly demonstrated the conceptual distance between English officials and colonial representatives on the issue of urban development. Its very existence contradicted Culpeper’s orders to simply gather opinions about the plan. Compounding this divergence, the burgesses went to considerable lengths to insist that, like the other legislation Culpeper had been ordered by Whitehall to solicit, their town plan was enacted “by the kings most excellent majestie by and with the consent of the generall assembly,” meaning that it already had royal assent. The act’s preamble explained its aim not as reasserting imperial order but as addressing the “present and continued lowness of the price of tobacco.” The rest of the lengthy act outlined where towns would be laid out, what price was to be paid for the land, how it would be sold and built upon, and how trading would be restricted to the sites. The bill only briefly referenced support for tradesmen and artisans, and never mentioned tax collection or enforcement of the Navigation Acts. It sought to integrate towns within the existing economic and political order. The towns were described as being appointed “for” the counties rather than within or beside them, and county justices were to appoint and oversee the ffeoffees (trustees) of the town land. Despite all the economic regulations about gathering and storing tobacco, no institutional framework was put in place to enforce these rules, so this role to fell upon the county courts. The existing planter elite in

each county were unmistakably intended to dominate the new spaces, which would be agricultural marketing centres rather than independent civic entities or imperial outposts.36

The idea of a town as a natural node of authority within a dominant county structure made sense to the Chesapeake planter elite. Scholars of seventeenth-century English history disagree about how far the county, or shire, formed a coherent political and social community, but those who do find shires to be important loci of identity suggest that the county town was a focal point for expressing such identity. In the later seventeenth and early eighteenth centuries, this pattern intensified as rural gentry invested in shire towns, improved their built environment, and made them into regional social hubs. Such English cultural developments were only embryonic during this period and probably not widely understood in the colonies, but the focus on building one town in each county and bringing it under the purview of local elites bespoke the deeply rooted shire-town traditions on which these English developments were based.37

The legislation was a consummate piece of political engineering. The burgesses took the imperial plan for towns and used it to reinforce their control over the region’s tobacco market and its communities. They even added clauses preventing tobacco exports before March 20 each year to artificially inflate the price, despite not offering an explanation of how this would assist urbanization. They also stated that a complete “Vacancie from planting [tobacco] will undoubtedly help” with “the reducig us to Townes” and populating them

36 JHB, 2: 137; IJC, 1: 9; HS, 2: 471-78.
“with many and Opulent Inhabitants.” Knowing that urban development was crown policy, they attempted to leverage their own financial and political gain.38

The origins of the fresh dispute over towns in Virginia during the 1680s are thus far from straightforward. They were not merely part and parcel of an economic reform agenda dreamt up by Berkeley’s former allies; they were connected to an active debate about urban governance that was taking shape in England during the Exclusion Crisis. For Whitehall officials urban development plans were about imperial control over the colonial mercantile and economic landscape that would parallel the influence they were seeking to build within England itself. Colonial leaders responded by claiming they had suddenly “grown sensible” of their “Wild & Rambleing way of Living & And therefore are desirous of Cohabitation.” In fact, they were reacting to the prospect of imperial towns filled with customs collectors and officials. Opposition crystallized in the town act of 1680, which attempted to appeal to abstract civic ideals whilst subverting the king’s urban objectives. The burgesses integrated towns into their own vision of a new economic and political landscape. As colonial secretary Nicholas Spencer pointed out, the plan they had dreamt up was unlikely to raise tobacco prices or crown revenues because of the “multiplicity of places appoynted.” He suggested instead “one place in Every great River,” which was precisely what Whitehall officials had always sought and would continue to seek throughout the decade. Royal opinion about the purpose of towns was to harden even further through these years, beginning with the decision to disallow this first Virginia plan of 1680; local determination to dominate county communities would continue to chafe against it.39

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38 IJS, 2: 477-78; JHB, 2: 145-46.
39 CO 1/45, f. 189-90; see also Rainbolt, From Peression to Persuasion, chap. 5.
Over the next few years, the transatlantic conceptual gulf over the town issue widened because of changing expectations in London and the tactics of colonial leaders seeking to harness potential urban power. Local justices used urban development as a means and a manifestation of their power over the community by centralizing county institutions in the prospective towns and by using their mercantile and political position to challenge the authority of merchants and the very highest echelons of the colony's elite. But urbanization was also framed by a rhetoric of popularity – urban boosters claimed that towns were places of opportunity for ordinary colonists, fostered out of concern for the economic and social health of the wider community, just as leading planters transitioned to a slave labour system that made them less reliant on the toil of their poorer neighbours. This use of the town as a symbol of community leadership brought the burgesses to blows with governors and officials when they tried to redraft the legislation through the decade. Each new version of the town plan met with more incomprehension in Whitehall as officials conditioned by traumatic urban dislocation in England refused to recognise any nonimperial urban plan for Virginia. Because English officials and local justices could not agree on where the balance of local authority lay, the proposed towns remained empty fields and wooded riverbanks.

To understand how battles over the towns played out in tidewater communities, it is vital to appreciate the dramatic changes that were refashioning the region's economy during these years. Although the price of tobacco was falling – a fact that the colony's leadership was extremely vocal about – diversification was occurring in various quarters and the large planters who held prestigious provincial offices were expanding their estates and their labour forces. In the prime tobacco-growing areas the wealthiest planters were shifting to a slave labour force during these decades and adjusting their production to wring a profit from the weed despite the unfavourable market. Although this pattern had its roots in the 1660s and
1670s, its pace quickened in the post-rebellion era. The wealthiest slaveholding elites created even more distance between themselves and the lower class of white colonists who held few slaves and owned less land. Having a dependent labour force of slaves and an efficient tobacco-farming operation, elite planters came to see their estates as self-contained spaces on the colonial landscape, fully under their control, and the county bench gathered these few elite men who each controlled their respective fiefdoms. They expressed this vision in new architectural styles. Through the 1670s leading planters built new mansions, many of them in brick; they divided their private domestic space from that of their labourers and organized it to promote refinement and order. Burgess William Fitzhugh, who expended a considerable sum on building a slave labour force, also erected a thirteen-room home in Stafford County, and provincial councillor Ralph Wormeley developed his Rosegill home with numerous dependencies to reflect a visible hierarchy on the landscape – Wormeley’s home was compared to a village in and of itself. After Bacon’s men destroyed many of these fine homes, the elite planters wasted little time before rebuilding them.

Under these circumstances the possibility of urban development across the tidewater represented both a challenge and an opportunity. Despite the turn to slave labour, numerous servants were still joining the labour force when their terms of service ended, and the only land available was either on the frontier or in marginal areas of the tidewater where they could never hope to make quick profits. Towns provided an alternative, a space to pursue artisanal crafts and help diversify the Chesapeake economy. If this population was

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marshalled into towns by imperial officials – men such as Jeffreys who had prompted them to draw up lists of complaints against the provincial elite – then the large planters’ control of the colony’s hierarchical political and economic structure would be jeopardized. But if the towns were organized under the aegis of the county bench – as the 1680 legislation suggested – they would provide a supervised outlet for ordinary colonists. However, the situation was further complicated by the fact that the local elites were not always a homogenous group, being divided by shades of opinion and personal rivalry. How towns would be built and populated was therefore a question of local social and economic ambition entangled with Atlantic political concerns.

It is extremely hard to gauge the implementation of the 1680 town act because of the patchy nature of Virginia’s county records. In some places where records survive the act was barely noted, probably because local justices elected to await confirmation from England before beginning any expensive preparations. In other places development was more forthcoming but was ultimately stymied by indecision in Whitehall about the legislation’s fate. This study will consider a range of counties, selected from across the colony based on survival of records. The examples come from a cross-section of the economic subregions that scholars use to frame their analysis of seventeenth-century Virginia. 42

In Surry County the justices reacted quickly to the legislation, but their ardour soon faded. In York County, by contrast, despite the voluminous records, there is no evidence that any progress was made responding to the initial legislation that year. 43 Even in Middlesex, where the act’s author, Robert Beverley, exercised his influence, the county

42 In some counties only probate and land records have survived, rather than those of the court’s administrative duties, making it much harder to identify the chronology of urban development. For the subregional breakdown of Virginia and its influence on social development, see Walsh, “Summing the Parts.”
bench did little to foster town development until their October meeting of 1681, more than a year after the legislation had been passed and a month after it was supposed to have taken effect. The delays and inaction suggest that even enthusiasts such as Beverley hoped to get royal approval before taking action and were only forced to move on their own when the crown was unresponsive. They no doubt appreciated how difficult it would be to force merchants to abide by the rules while they remained unconfirmed by Whitehall.\footnote{The Middlesex County justices approved the town land purchase in August 1680, but no further action was taken to survey the land until October 1681. Middlesex County Court Order Book, vol. 2, f. 41-42; Darrett B. Rutman and Anita H. Rutman, *A Place in Time: Middlesex County, Virginia, 1650-1750* (New York, 1984), 214; Evelyn Q. Ryland, et al., *Urbanna: A Port Town in Virginia, 1680-1980* (Charlotte, N.C., 1980), 12-13.}

Once the Middlesex justices decided to press ahead with their town, they appointed Beverley and Abraham Weeks as its ffeoffees and ordered them to purchase and survey the plot in just three days. The process evidently took longer, however, because a month later the court paid three thousand pounds of tobacco to another justice, Christopher Robinson, “for Severall meetings at his house about ye Towne.” Middlesex was typical in its reticence but eventual compliance with the act. In Lancaster County one anxious petitioner had constructed a house and “vessels” (presumably for transshipment of goods to the town) before the official survey and wanted to ensure his land was respected. In November 1682 (a year after the act was supposed to take effect) the assembly paid fees for the surveying of towns in fourteen of Virginia’s twenty counties.\footnote{Middlesex County Court Order Book, vol. 2, f. 41-42, 49; Lancaster County Court Order Book No.2, f. 56; Waren M. Billings, *Papers of Francis Howard, Baron Howard of Effingham, 1663-1695* (Richmond, Va., 1989), 211. Payments to surveyors suggest that by the November 1682 assembly thirteen of the twenty sites had been surveyed. See McIlwaine, *Journal of the House of Burgesses*, 2: 170-83} Lord Effingham, who became governor of Virginia in 1684, informed Whitehall that many people had invested in warehouses. The pattern of delay followed by implementation suggests that county justices were not opposed to urbanization, but were fully aware of the Atlantic implications and were wary of wagering their fortunes while awaiting news from London.\footnote{The Middlesex County justices approved the town land purchase in August 1680, but no further action was taken to survey the land until October 1681. Middlesex County Court Order Book, vol. 2, f. 41-42; Darrett B. Rutman and Anita H. Rutman, *A Place in Time: Middlesex County, Virginia, 1650-1750* (New York, 1984), 214; Evelyn Q. Ryland, et al., *Urbanna: A Port Town in Virginia, 1680-1980* (Charlotte, N.C., 1980), 12-13.}
Even if they were not prepared to hazard their resources on bricks and mortar, however, some county leaders still expected the towns to support their control of the local market. When September 29, 1681, rolled around, a few counties sought to comply with the act’s trade restrictions, and considered legal cases for its infringement. With tobacco prices troublingly low, scholars have assumed that their motivation was to remove supply from the market through confiscation in the hope of driving up the price. Rumours in the colony certainly suggested that Robert Beverley in Middlesex, who would later lead the tobacco-cutting riots (also intended to cut supply and raise prices), was “stirring up informations agt ships upon the pretence of forfeiture by the act of Cohabitation.” Yet a closer look at the details of the cases in Middlesex County reveals more nuance. Beverley never brought suits against ships in violation of the act. The only two such suits were both brought by Thomas Wharton, a local attorney and friend of Christopher Robinson who had hosted discussions about the town act at his home, suggesting a larger network of local leaders hoping to enforce the restrictions. The cases were also not random – they were brought against two ships that both traded regularly in the area for the same merchant consortium. Most of the trade in Middlesex County was dominated by Ralph Wormeley, an extremely wealthy planter and member of the provincial council, and the ships belonged to his English trading partners. Families such as Robinson’s and Beverley’s coveted Wormeley’s mercantile connections in England, and their initial efforts to lead the urban development movement and enforce the act’s restrictions went beyond a desire to simply raise the price of tobacco: they were attempting to stifle and redirect the pattern of trade. In Stafford County similar motives led William Fitzhugh to initially organize for the county’s town to be at the mouth

47 E/C, 1: 19; Raabolt, From Prescription to Persuasion, 117-20.
48 Middlesex County Court Order Book, vol. 2, f. 60, 64; Ryland, Urbanna, 14-15; Rutman, A Place in Time, 211-15. For detail on Thomas Wharton, see Ibid., 110.
of Aqma Creek – not inconvenient to his home – but by the spring of 1683 he was even scheming to make his own wharf the only port of call in the county. ⁴⁹

There was also a less commercial side to the promise of urban power, encapsulated in the new courthouses that a number of counties debated erecting in the young towns. In November 1681 the Middlesex justices empowered Beverley and Robinson “to agree with Workemen & provide Timber & all other Materialls to build a Courte house in ye Towne.” A new courthouse was also built in Accomack’s designated town site at Onancock. In some cases this most grand of county public buildings was at the very centre of the new plan for the town, beside an open marketplace at the central crossroads, clearly with the intention of creating a civic space. ⁵⁰ The act itself had not stipulated that courthouses be relocated, but building a courthouse was an overtly political move; it demonstrated that men such as Beverley had always envisioned the towns as county hubs where their authority in the community could be cemented through the ownership of urban space close to the organs of local government. If town development had been merely about raising the price of the weed, then it would have mattered little whether the courthouse was part of the new complex or whether county justices such as Beverley got the chance to lay out the streets and sell off the lots. The way that initial urban planning in counties proceeded, though, demonstrates that powerful political influence was at stake in shaping a prospective county-town.

In some counties, where there was little cohesion amongst the elite, this potential political power led to conflict. The owners of land that had been designated for towns resented surrendering sites they already knew to be prime commercial locations, especially when they would receive only a fixed price in return. In Lancaster County, where the town

⁴⁹ William Fitzhugh initially complied with the town act, but then developed the plan to promote his wharf as the mercantile center for Stafford. See Davis, William Fitzhugh, 101, 103, 108-9, 137.
⁵⁰ H3, 3: 59; Surry County Court Orders, 4th Jan. 1680/1, Surry County Order Book 1671-1691.
was planned to sit on Carter family property on Corotoman Creek, a dispute delayed work. As early as January 1681, the justices were forced to call all those “persons concerned in the Sale of the Lands for the towne for this County” to the court and ask them to bring evidence supporting their right to the land. Whether the Carter family were objecting to the town location or whether others feared their influence over the site remains opaque because no record survives to show whether the conference took place. In Surry the justices attempted to broker a deal with Isle of Wight County to appoint one town between them on the county line and thus share the cost, which was sanctioned by the act. County burgess Samuel Swann nixed the idea by claiming that the act, which he had clearly helped to influence, had stipulated specific locations and should be obeyed. Unsure how to proceed, the Surry justices abandoned urban development indefinitely and began expensive renovations of the existing courthouse, located some distance from the proposed town site.51

The situation in Middlesex County is better documented. There the act had specified that the town should be on the land of council member Ralph Wormeley. On face value the decision made sense: if trade was to be confined to a town it would have to be convenient for the most powerful planter in order to be viable. This was not how Wormeley saw it, however, especially after Wharton pressed suits against the ships dispatching Wormeley’s tobacco. The act had empowered a group of lesser but still prominent Middlesex gentry to purchase fifty acres of land just across the creek from Wormeley’s plantation complex at Rosegill, and then allowed them to sell it to whomever they chose. Their actions, along with efforts to relocate the courthouse to the site, promised to reorganize the county’s social life under their aegis, in a busy little metropolis that would confront Wormeley whenever he looked out of his chamber window. Ship captains who came to Rosegill Creek to call upon

51 Lancaster County Court Order Book 1680-1686, f. 25, 41-42; Surry County Court Orders, Sept. 8, 14, 1680, Surry County Order Book 1671-1691.
the old councillor might be tempted to sojourn instead in the little town where Beverley, Robinson, and their colleagues would be feoffees, landowners, and commercial agents. Robinson actually lived just on the other side of the proposed town and was arguably better placed to influence it than Wormeley.52 The town might also have disrupted Wormeley’s agricultural operations, with animals roaming out into the fields from pens in the town, or servants and slaves surreptitiously wandering the other direction when they ought to have been tending their master’s tobacco.53

Wormeley, who attended few county court sessions despite his councillor’s prerogative to do so, made a point of appearing to discuss the act, and he also arrived midway through the spring 1682 session when the court heard the case of the ship captains accused of violating the act. Otherwise, though, he repeatedly refused to cooperate; he never attended technical planning meetings, instead forcing the county justices to visit Rosegill as a delegation and plead with him to sign the deed for the land.54 The justices’ battle to gain control of the town land and construct the courthouse lingered for twenty years as Wormeley was determined that any legitimacy or authority the town might offer to the likes of the Robinson and Beverley families should always be subservient to his position in the county hierarchy. Middlesex’s tension was extraordinary, but the fight demonstrated the local stakes involved in town-building efforts. By founding a town, selling plots, and regulating local trade, county justices could reinforce their power and influence even at the expense of the most elite members of Virginia society.55

For some justices town development also held the promise of cultivating loyalty from their middling and poor neighbours. Even though support for craft privileges had only

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52 Robinson’s home was west of the site, Rosegill was across the creek to the east. See Ryland, Urbanna, 14-15.
54 Ibid., f. 41-42, 64, 474, 509-12.
55 Ibid., f. 512-17. For more on the Middlesex dispute in the 1690s, see below p. 389, 469-71.
been lukewarm during the drafting of the plan, many leaders portrayed urbanization as an example of their beneficence to the ordinary planters who might take advantage of petty trading and crafting opportunities. The act offered five tax-free years to those who established themselves in urban trades, and the burgesses also appealed to the crown to offer permanent tax breaks to town dwellers, framing them as urban “immunities.” Their targets were men like Thomas Drury in Lancaster County, who was the first to take up the opportunities afforded by the act and attempt to establish himself in the county town. In York County, where the first efforts to establish Yorktown in the early 1690s have left a reasonably complete collection of land records, the evidence suggests that everyone from the governor to ordinary labourers invested in town land.5 From Stafford County, William Fitzhugh, who had played a major role in drafting and debating the legislation, wrote that the implementation of the act would require recruiting urban craftsmen from England. It is ultimately impossible to calculate how many middling colonists were tempted to move into towns, but the numbers were certainly never equal to these ambitions, since English finished goods still dominated the market and the implementation of the town acts throughout the decade remained uncertain. Town lots increasingly fell into the hands of the wealthier planters who could afford to spend capital to unseat mercantile networks in their county – much in the way that the Beverley and Robinson families invested in Middlesex’s town to compete with Wormeley.58

The local leaders nevertheless sought to portray their urban endeavours in a populist light. Many of the reports sent to Whitehall during the early 1680s emphasized the level of

56 HS, 2: 476. This provision was initially included at the behest of the provincial council. See IJC, 1: 9.
57 Lancaster County Court Order Book No. 2, f. 56; Riley, “Founding and Development of Yorktown,” 42-46.
58 Davis, William Fitzhugh, 82. Effingham commented that some people invested all they were worth, implying they were not the wealthiest colonists (Billings, Papers of Francis Howard, 211). Little evidence of this building boom has survived, most of what can be known has been surveyed in Reps, Tidewater Towns, 67-75.
popular support for towns and the ways in which local leaders were harnessing and directing popular energy. During the initial debate over the legislation, the committee appointed to discuss it had concluded that it was "Soe much desired and of soe great advantage to this poore Colonic." Secretary Nicholas Spencer wrote to England that circumstances had induced "inhabitants of the Country to thinke of Cohabitation." Their theory was that low tobacco prices hit small planters hardest and that towns offered them alternative crafts and markets as well as boosting the prices they received for their crop. This argument also allowed local leaders to claim that they were seeking the public good through civic institutions, attempting to provide stability and order, and winning the affections of ordinary planters in the process, thus consolidating political control over their local communities.59

This context helps to explain how town development on the Middle Peninsula degenerated into riot during the early summer of 1682. During the early months of the year leaders in Middlesex County had begun their suit against the ship captains for violations of the town act, and this sparked more widespread unrest. Lord Baltimore, writing from Maryland in March, noted that there were "some discontents and dissatisfaction in Virg' abt the buisnes of Cohabiracon."60 Robert Beverley used this air of uncertainty to make fresh appeals to poor colonists in Middlesex and Gloucester. He circulated a petition calling for an assembly and a tobacco stint, and goaded Henry Chicheley (the acting governor of Virginia in Culpeper's absence) into backing the implementation of the town act. Chicheley was in a tricky position because within days he received word from England confirming that the

60 CO 1/48, f. 185-86.
crown had suspended the act. The elderly acting governor called the assembly but then quickly prorogued them again without allowing time to pass any new legislation. 61

These actions, however, had given Beverley the ammunition he needed. He returned home with copies of the truncated assembly proceedings (which he acquired as clerk of the assembly) and used them to assert that metropolitan officials had failed in their duty to protect ordinary colonists. Beverley provoked groups of young men to roam the Middle Peninsula during the heady summer nights of 1682, wantonly cutting and destroying all the tobacco they could find in order to vent their spleen and artificially manufacture a shortage. He then framed these events to claim that poor colonists had been driven to desperation by the failure of the town plan and low tobacco prices. Alexander B. Haskell has demonstrated that these “plant-cutter riots” were a well-organised piece of political theatre intended to demonstrate to the king that colonial officials had lost the affection of the people, but it is important to recognize that the riots flowed directly from the failure of the town legislation. The use of the riots as political theatre was intimately connected to the efforts of men such as Beverley to construct new towns as centers of legitimate political and economic authority within the local community. 62 Events in Middlesex County demonstrated the potential of urban development on two levels – in the competition between individual members of the local elite, and in the arena of Atlantic competition over mercantilism and empire. Beverley and his friends wanted to build a town on Rosegill Creek not only to assert their local economic and social position but also to get that position recognized in the wider commercial and political world of the English Atlantic.

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62 “The Council framed the popularity of enforcing the town act very differently. They claimed that Beverley’s attempt to enforce the act was demagoguery and “to the great dissatisfaction of the most and best part of ye colony,” (my italics). CO 5/1356, f. 176. See also Haskell, “Affections of the People,” chap. 6.
The meaning behind Virginia’s town building and riots was not lost on Whitehall officials. They were acutely aware of the stakes involved in urban development and had spent the entirety of 1681 debating the Virginians’ plan; it was, in fact, their failure to reach a speedy decision that left the colony in such a dangerous limbo in September 1681 when the act was supposed to take effect. During their deliberations, the crown’s administrators were particularly sensitive to the populist argument advanced by Virginia’s leaders. Making their initial report on the colony’s plans in January 1681, the customs commissioners emphasized that, despite their protestations, the Virginia plan including a tobacco cessation would only help the large planters who could weather the short-term fall in income, whereas their original town-building proposals had promised to “be of Gen’ Good to the Planters as well Rich as Poore.” It made sense that, if properly executed, urbanization could thus win popular support for the empire and also supplement royal revenue in the process. This belief was reinforced later in the year when Lord Culpeper, returned from Virginia, wrote that towns should be the colony’s highest priority because they were “a Remedy to all persons and greevances.”

The problem for metropolitan officials, however, was what Culpeper termed the “ill use made of” the legislation by the Virginia elites. Policy makers believed that they were in the best position to organize commerce and offer ordinary colonists a helping hand out of poverty. The customs commissioners’ report underscored the link between urban development and the transatlantic merchant community; towns were not to be subject to the desires and designs of local government but were to serve imperial purposes. The commissioners emphasized this point of view by expressing shock that the Virginia General Assembly would even contemplate legislating such towns when “setting out of Wharfes and

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63 CO 1/46, f. 165-66; CO 1/47, f. 180. As Rainbolt suggested, many royal policies in these years were “tailored to serve the imagined interests of the common planters.” See John C. Rainbolt, “A New Look at Stuart ‘Tyranny': The Crown’s Attack on the Virginia Assembly, 1676-1689” VMHB 75 (1967): 387-406 (quote, 402).
keys is never done in England but by his Ma"er" Comission directed to the effect of his Ma"er" Customes.” Of course, Culpeper had never been instructed to extract a town act from the Virginia burgesses; he was only supposed to consult them on the plan. The commissioners’ response articulated an autocratic view of town development and mercantile control identical to that which had inspired the crown’s initial instructions to Culpeper in 1678.64

The Committee for Trade and Plantations turned to Culpeper and a coterie of London merchants to help determine how to renegotiate the urban plan that they remained committed to. Culpeper was happy to proffer suggestions because his proprietary estates meant he had a major stake in the profitable governance of Virginia. He persistently maintained the necessity of towns and also proposed ancillary measures in support of the diversification effort, such as the king distributing flaxseed to all middling planters. With a particularly perceptive eye to changes in Virginia, he also noted that ordinary colonists suffered while tobacco prices sank, primarily because “our buying of Blackes hath extremely contributed ... by making more Tobacco.”65 After a year of debate, the customs commissioners intimated that though they rejected the deadlines put in place by Virginia’s burgesses because such deadlines would not allow time for the building of the necessary warehousing facilities, they advised that the act be redrafted in the colony. Culpeper had been particularly vocal in stopping them from completely rejecting the act, and won new instructions that simply told him to get it revised so that the towns would be established before it took effect.66 The crown had not completely abandoned its dream of an urban renaissance in Virginia. Rather, the length of time it took them to tease out a compromise

64 CO 1/47, f. 252-53, 258-62.
65 CO 1/4", f. 258-62. For Culpeper’s Northern Neck proprietary, see Billings, Colonial Virginia, 104-05.
66 CO 1/4", f. 252-53. Scholars dismiss Culpeper’s opinions, claiming that his brief visits to Virginia reflected a disinterest in anything apart from his own revenue, but he persistently lobbied in London for the town plans. See CO 1/47, f. 180, 258-62; CO 5/1356, f. 141; Davis, William Fitzjerngh, 134; Billings, Colonial Virginia, 104-08.
reflected the fact that they dearly desired urbanization provided it was on different terms to those drafted in the colony. By contrast, the appeals for a tobacco cessation, which had never been royal policy, had been summarily dismissed within a few months. 67

Upon receiving the customs report, the Committee for Trade and Plantations suspended the town act in December 1681 and restated the royal dictum that urban development needed to be under the control of royal officials and English merchants, not county grandees. 68 Whitehall’s resolve stiffened even more after news of the plant-cutter riots arrived. Virginia secretary Nicholas Spencer first connected the riot to urbanization in a letter to London officials. He claimed that “want of cohabitation and the distance wee have stretched the lines of our seatments Lays open the Government to many disorders,” such as the present riots. The Lords of Trade wholeheartedly endorsed this opinion when they anxiously prompted Culpeper to return to the unsettled colony in autumn 1682. In the detailed report of events that he was instructed to write, he was to pay particular attention to the misapplication of the town act and to advise how it might be amended to ensure greater imperial control and more reliable revenue. Less than a year later, when they were debating fresh instructions for Culpeper’s replacement, Lord Effingham, the Lords of Trade repeated the request for information about the town act in order to better control its implementation from London, and they also ordered Effingham to proclaim the king’s decision to overturn Virginia counties’ powers to issue their own bylaws in a further effort to centralize control over the disparate plantation colony. 69

Opposition to the Stuart monarchy in England during these years was also strengthening royal resolve to assert prerogative. Stuart loyalists began attempting to whip up

67 CO 1/46, f. 165-66.
68 CO 5/1356, f. 3-6.
69 CO 1/49, f. 106; Mellwane, Executive Journals, 1: 37; CO 391/4, f. 194-99, 204-9.
popular opposition to the exclusion movement, and there was also a concerted push to reorganise and reassert royal control over English boroughs. A new absolutist vision was articulated, grounded on direct connections between crown and subjects and sidelining troubling local civic institutions. This process was most pronounced in London, where the crown asserted authority in the face of an obstinate city corporation. In September 1682 Charles forced some opponents out of the London corporation and a year later he took the momentous step of recalling the corporation’s charter. From then on he governed the city directly, appointing a clique of loyal aldermen and quashing the common council. Among this small group of city allies were tobacco merchants such as John Jeffreys and Jacob Lucie. Eager to retain these men’s support, the king consulted them on mercantile issues and civic government. Lucie became an alderman, and the crown simultaneously crafted an imperial policy designed to help him and his fellow merchants control any urban authority that was created in the Chesapeake. The Stuart vision of the state during the 1680s demanded that men such as these retain economic and political control over civic institutions on both sides of the Atlantic.

When news of these decisions reached the colony, informed and thoughtful men were well aware that they were part of a concerted Stuart vision of empire. After acting governor Sir Henry Chicheley heard of the suspension of the town act, he wrote a letter to his brother Thomas — who served on the Committee for Trade and Plantations and was a loyalist (Tory) patron and MP for the borough of Cambridge — articulating the connection

9 Knights, Politics and Opinion in Crisis, chap. 9; Harris, London Crowds, chap. 6; Halliday, Dismembering, chap. 6.
11 DeKrey, London and the Restoration, 382-86.
he saw between the urban-planning issue and the extent of imperial authority." Chastising his brother’s faith in the Stuart project, Henry defended his decision to initially prosecute ship captains under the town act, arguing that “if wee may not put in Execution what arte concluded & determined in this Country, the Country then hath noe power to act in anything they have done, and all power in these parts must cease till a full Confirmation from England, wth the Royall assent.” This, he claimed, was an impractical imposition of imperial politics on local government, especially when metropolitan officials were so tardy in their responses. The problem that Chicheley had identified would remain at the heart of the town debate for the rest of the decade. Building towns as both physical and civic communities raised a host of questions about the practicality of imperial interference in the local government of a colony three thousand miles away. Prevailing scholarly interpretations of town building have placed it in either a transatlantic contest over mercantilism or a local battle over county hierarchy. In reality the local was the imperial – the contest over what kind of towns would be built in the Chesapeake represented the outer limits of the Stuart state’s attempts to reconfigure local government and society across their dominion. 

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The immense task of negotiating this division fell to Francis Howard, Lord Effingham, the newly appointed governor in 1683. His orders were to reassert royal authority by clamping down on the power of counties and rethink Virginia’s urban structure – moves akin to those concurrently being imposed on England’s boroughs. If the challenge seemed daunting to Effingham as he voyaged to Virginia in autumn 1683, it would only get worse. Through

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7 Chicheley voted against exclusion on each occasion See S. L. Sadler, “Chicheley, Sir Thomas” in ODNB.
8 CO 1/48, f. 521.
9 These two prevailing scholarly interpretations are typified by Rambolt, From Prescription to Persuasion, chap. 5; Rutman, Place in Time, chap. 7; Darrett B. Rutman and Anita H. Rutman, Small Worlds, Large Questions: Explorations in Early American Social History, 1600-1850 (Charlottesville, Va., 1994), chap. 11.
family connections, Culpeper had initially enjoyed the goodwill of at least a faction of Virginia's elite, but Effingham lacked this network and his rigid loyalty to Stuart imperialism coupled with his distrust of colonial politicians increasingly alienated most of the ruling class in the colony. The task of imposing Whitehall's will therefore met ever-stiffening resistance. To make matters worse, the crown's expectations moved in the opposite direction - Charles II's final years and James II's short reign represented a dramatic shift toward authoritarian government in the kingdom. The Stuart monarchs infamously rescinded the charters of the New England colonies, but James II also dramatically hiked the tobacco duty and pressed Effingham to extract royal revenue as efficiently as possible. This exacerbated the plight of Virginia's economy and pushed the colony to the point of confrontation with the Stuart regime. The fight between Effingham and the colonial leadership over imperial power focused particularly on the town-development legislation, an arena in which colonial anxiety about the economy and kingdom-wide concerns over the nature of the crown's control of local government were intertwined. Through three assembly sessions between 1684 and 1686, Effingham and the Virginia assembly plumbed the depths of these debates, and their constitutional wrangles are worth exploring in detail.  

Even before the 1684 session began, it was clear that the connection between crown government and local authority in Virginia was going to be tested. Effingham acted quickly upon arrival to reassert the gubernatorial right to commission local officers directly. But when he met the new assembly for the first time on April 17, 1684, he demonstrated that he only partially understood the extent of the differences. He gave the gathered grandees a chastening indictment of their persistent lack of urbanization. Effingham explained that the

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king was deeply troubled, because Virginia had “preceded most of it’s Neighbours in Antiquity,” but still lacked towns. Though this shameful comparison to other colonies had not motivated them, he hoped the “great security and Benefitt” towns promised would encourage them to “bee noe longer deficient to your-selves” in delaying the project. He emphasized the king’s generosity in allowing them to frame the act to their own convenience as far as “it will beare,” underscoring the assumed royal prerogative. As an opening salvo from a new governor, this statement was shocking in the extreme. Not only did Effingham impugn the honour of individual colonists, calling them “deficient” in comparison to the rest of English America, he also completely ignored the facts that the assembly had taken major action to promote towns twice in the past four years and that Whitehall’s vacillation had provoked a violent uprising. He may not have known the details of prior town legislation, but he knew enough to realize that his comments would be provocative. He was reframing the definition of urbanity to the Stuart vision, challenging colonial leaders’ ideas about Virginia’s political topography. Effingham’s decision to lead with this attack is all the more odd because the updated royal instructions he had just received a few days earlier told him merely to consult on the town-development issue. In fact, later in the session he admitted to the burgesses that the 1680 act was “not Repealed but only suspended,” and so he had never intended new legislation to be drafted; rather he had confronted the delegates with the town issue because it was a microcosm of the battle he intended to wage over imperial power.8

The burgesses were suitably courteous in their response. They still had reason to be happy with the governor’s first move because – although Effingham would later disclaim it – it appeared to be a fresh invitation to draft town legislation. The burgesses pressed their advantage. They spent the first few weeks of the session contesting their right to hear legal

8 JHB, 2: 240, 251-52; Billings, Papers of Frances Howard, 42.
cases, and they objected to the revocation of the counties’ power to make bylaws. They also claimed the right to redraw county boundaries and drafted a restatement of the town-building plans. Their attempt to oversee county boundaries was quickly rejected by Effingham, who claimed that such decisions were his prerogative, by dint of “his Majesties Royal Authority derived unto me,” but the question of towns was more complex.⁹ On May 7 the burgesses began a lengthy debate about the second reading of the town act. The key questions were how many places should be designated and what they should be called. The initial plan made clear that the sites should centralize the tobacco trade to certain wharfs, but if this was to be the case, then should large or elongated counties be allowed to specify multiple towns? Two towns in each county might resolve squabbles that threatened to divide some counties’ justices whilst at the same time emphasizing local control by making it even harder for Effingham to police the locations. There was evidently some disquiet, however – in a tight vote the burgesses decided that each county could have but one town. Then the following day, on the bill’s final reading, a faction (presumably those who had advocated two towns to a county) got the act’s restrictions on trading tobacco struck out, only for the then-neutered act to be immediately thrown out altogether.⁸⁰ Effingham had been monitoring the town legislation closely and the very next morning he lectured the burgesses on their ineffectual debate, stressing the need to conclude the session quickly. A few days later the burgesses responded by producing a new act for “appointing portes for the preventing of frauds and better securing his Majesties revenue.” There was a distinctly unsubtle semantic difference there, suggesting that the burgesses now had a better idea of the extent to which Effingham hoped to replicate the English state’s urban mercantile controls in the colony. However, they were no longer prepared to call such

⁹ JHB, 2: 208-10, 212, 232. For the disputes over the assembly’s powers, see Billings, Virginia’s Theatre, 43-44.
⁸⁰ JHB, 2: 213.
sites “towns,” and they again insisted that counties be allowed to nominate two or three locations in order to water down the efficacy of the act. These key changes were an acknowledgement that more sites would reduce the distance ordinary colonists would have to ship their tobacco; however, the focus of debate during the session was clearly not between delegates and their constituents over convenience but between the dissatisfied burgesses and the governor.\footnote{Ibid., 2: 217, 222.}

Despite its title, the act was framed to be as inconvenient as possible for Effingham’s intended purposes, and the governor quickly realised as much. He launched into a damning analysis of the plan – calling it an even more unrealistic version of the suspended 1680 act – and then attached a copy of the commissioners of customs’ report from 1681 to demonstrate precisely what the crown had had in mind all along. The 1680 plan “to raise Twenty Townes out of Noe Townes did seem Impracticable,” Effingham fumed, and now the plan was to appoint two or three in each county. In this angry rant, the governor revealed that he had never aimed at new legislation restating the previous act; instead he wanted to spur the burgesses on to build the previously selected towns up to a point that he, London’s merchants, and the king would all find acceptable. Just as with the county boundary issue that he had dispatched so quickly earlier in the session, Effingham did not consider it any business of the assembly to debate the locations and semantic definitions of urbanity. They needed only to obey the crown’s vision for an urban Virginia.\footnote{Ibid., 2: 240.}

If the 1680 legislation had left any doubt that the burgesses had a sophisticated understanding of the intricacies of urban political and economic constitutions, the 1684 session removed it. They self-consciously debated the town legislation as a comment on the Stuart definition inherent in Effingham’s plans. Before the session ended, they drafted a
letter to the king explaining at length why they felt aggrieved to have had their prior town legislation overturned in Whitehall. They argued that “your Mage is Gratiously pleased to extend to most of the Lesser, and most inconsiderable Corporations within yor Maties Kingdom of England” the “power & Authority to make & Enact Lawes, Ordinances & Statutes, for the Welfare, Advantage and Good Government of their Corporation,” but this right was denied to Virginians. The news that London’s charter had been voided was almost certainly amongst the gossip in Jamestown that summer; harkening to traditional English corporate rights in this way was ripe with political overtones for an assembly that had just finished debating its own urban development. Since Effingham had left England the previous autumn, ten more English corporate charters had been reissued, and they were just the first of more than forty that would be called in and adjusted by the crown before the year was out. The news of events in London, combined with Effingham’s dogmatic demands, clearly focused their minds on the status of corporations and the analogies between their control over local government and that over English boroughs.93

After an uneventful winter, Effingham addressed the town issue once again in a letter to his Whitehall confidant William Blathwayt during the summer of 1685. He explained that he had received a fresh petition that claimed the facilities for storing tobacco and housing merchants were now sufficient to lift the suspension and fully enforce the original 1680 act. Effingham noted that “some persons have in hopes of this laide out great sums of money, many all they are worth, and now expect the returne,” but equally others in the colony “feare if Townes should be built their Diana would downe, and should not have opportunity to Engrosse the Trade as now they do.” It was in his interest to portray the

93 Ibid., 2: 228-29. Assembly leader, William Fitzhugh understood politics in England, and presumably in London – in 1682 he made planned a “[Stuart] loyalist” club in Jamestown. So he would likely have been aware of the Qno Warranto against the capital’s charter. See Davis, William Fitzhugh, 94-95. For the charters reissued during these months see the helpful table in Halliday, Dismembering, 350-53.
colonists as hopelessly divided in their selfish efforts to grasp as much personal advantage as possible. He editorialized to Blathwayt that these divisions were “the reason the bill did not passe the last sessions” despite the fact that “the Country in Generall is now most desirous of it.” Of course, the real reason the bill had not passed in the previous session had been a bitter dispute between himself and the burgesses, but it served Effingham’s interests to portray himself as the guardian of popular interest and royal prerogative against corrupt colonial leaders. Precisely how he was going to translate this to action was tested the following autumn when he was forced to call a new assembly whose burgesses proved even more intractable on the town issue.84

Before the issue of towns was ever raised in the session, there were already signs of trouble. Firstly, news of the plan to raise tobacco duties had reached the colony and received the predictable frosty welcome.85 Secondly, Effingham had issued a lengthy proclamation condemning the Duke of Monmouth’s recent uprising in England and ordered that it be sent across the colony in preparation for a day of fasting and prayer as thanks for the king’s deliverance. The proclamation amounted to a brief history of the failed revolt for consumption by the Chesapeake’s dispersed plantations, where rumours of the rebellion abounded. Such proclamations were not unheard of in Virginia, but issuing one of such length, on such a controversial subject, rather than relying on the burgesses or the county justices to spread the news as they saw fit, was an attempt to short-circuit the colony’s hierarchy of power. Effingham then reinforced the proclamation by referencing it in his opening speech to the burgesses and demanding that the delegates play along with a ceremonial commemoration. Finally, he also used his opening address to launch a more

84 Billings, *Papers of Francis Howard*, 211.
85 Ibid., 228; McIlwaine, *Legislative Journal*, 1: 73.
vigourous attack on the county courts’ right to make bylaws, bowing to royal instruction on an issue that he had caved in on during the 1684 session.\(^8\)

The burgesses soon drafted an act agreeing to deprive county courts of lawmaker powers, but they also drafted another plan for ports. The port plan had begun life as a renewed appeal for town building presented to the assembly by at least one county delegation, suggesting that there was at least some popular will behind the project. Effingham was happy to accept their surrender on the issue of bylaws, but he was not ready to consent to a “new” port plan that was essentially identical to the one he had rejected eighteen months before. He returned a heavily amended version that specified only eight sites across the tidewater for the centralization of customs collection and administration.

Given the interest in town building that was still rife across the region, the burgesses had to respond to the governor’s gambit; a number of senior burgesses formed a committee to consider the amendments and compose a fresh justification for their version of the act. They accepted the majority of Effingham’s changes but explained that they could go no further than reducing the number of sites to “one Towne, for each county” (again subtly shifting the semantics back from port to town).\(^8\)

The following morning, Effingham sat with his council, and “perused, seriously considered, assented and returned” the revised port act. That was where the real trouble began. Still unhappy with the burgesses’ second proposal, but lacking the room to make adjustments in the margins of the drafted pages, he and the council scribbled alterations on a separate sheet of paper, affixed it to the text, and then signed the legislation, assenting to it as amended. Seeing an opportunity, Robert Beverley—who had been forgiven for his plant-

\(^8\) Billings, Papers of Francis Howard, 223; Transcript of the House of Burgesses Journal (hereafter THBJ), Effingham Papers, Library of Congress, f. 5-6; Billings, Virginia’s Vicerey, 61.  
\(^8\) McIlwaine, Legislative Journal, 76-77, 79; THBJ, f. 23-30.
cutting escapade and returned as clerk and draftsman of the new legislation – tossed the unsigned amendments sheet aside and added the new port act to the pile of approved bills that would be signed into law at the end of the session. The burgesses, sensing victory, immediately changed their tone; they composed a long address to the governor in which, abandoning the stalling of the past three weeks, they seemed eager to conclude the remaining issues of the session. Nonetheless, a raft of other controversies meant that a whole week went by before Effingham was called upon to add his symbolic signature to the work of the assembly. When that time came, he reviewed the act, and finding that it lacked his final set of changes, he refused to sign it.88

This response, predictably, launched a series of angry exchanges between Effingham and the assembly, which ultimately led the governor to prorogue the session without passing the plan at all.90 The debate raised a difficult constitutional question about whether the governor ought to sit with the council when it debated and amended legislation as an upper house of assembly and thereby be given two chances to veto a particular act.90 However, these details have overshadowed the precise issues at stake between Effingham and the burgesses during those chilly winter days at Jamestown. What had Effingham scribbled on the piece of paper that Beverley so cunningly discarded as a “certain paper now waies authenticated”? The answer: a thorough rewrite of the section outlining the rights and authority of royal customs collectors in the nascent towns plus a comprehensive table of fees payable to them. This may appear a technicality – and that was how the burgesses portrayed it during the ensuing contest, claiming the additions could easily be made by the king or a future assembly – but the whole purpose of the town plan was at stake. If the act outlined

88 McIlwaine, Legislative Journal, 79, 95; THBJ, f. 33, 44.
89 THBJ, f. 46-57; McIlwaine, Legislative Journal, 95-105.
the same twenty ports as the 1680 plan and made no formal provision for customs officials, then it effectively made a mockery of the imperial vision of control through urban ports – as Effingham noted, the burgesses’ version of the plan was intended not to augment royal revenue but to “much diminish it.” On the other hand, if Effingham could force the assembly to consent to predetermined payments to customs officials who would all be under his direct appointment, he would have a fully funded network of placemen across the colony to oversee trade; in addition, by setting the fees, he self-consciously alerted the burgesses to the extra cost and strain of administering so many different ports rather than settling on the eight he had initially suggested. In his correspondence with Whitehall, he explained that the hope of getting a salaried network of offices was the only reason he had allowed another town act to be debated at all. The burgesses were partially making a constitutional point in refusing to redraft the act, but given the eagerness of many delegates for urban development and the traction it appears to have been gaining outside the assembly, their refusal to bend to Effingham’s will was almost certainly rooted in a principled objection to the specific changes he was proposing to the plan. Having given ground on county bylaws, they were happier to kill the town act than see it give birth to a coterie of independent imperial officials.

Effingham’s dramatic prorogation meant that the colony limped into an increasingly uncertain future with another tobacco-shipping season looming and still no clarity regarding marketplaces or civic structures. In the spring of 1686 Effingham used pointedly spatial language in writing to England about the dispute – the burgesses were “Invadeing, if not destroying his Majestys prerogative.” Two weeks later he unilaterally revoked the counties’ rights to issue bylaws and began a concerted effort to remove opponents from office and

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9 LJC, 1: 95, 98, 100, 103. Copies of the act with Effingham’s amendments added in the margins can be found in Lord Howard of Effingham Papers, Library of Congress, and CO 1/57, 327-31.

92 Billings, Papers of Francis Howard, 238.
impose himself more directly on the colony’s local government. During a brief assembly session in the autumn of 1686, he squared off against the burgesses once again over his decision to rescind the bylaw powers of the county courts by proclamation. He provoked further anger by instituting a system of licensure for all teachers and tutors in the colony, insisting that they come to him at Jamestown rather than being approved by the county bench. Just before dissolving the session, he also squashed a fresh town act, explaining that the chequered history of the plan was under royal review. While he worked on these centralizing projects, Effingham was not eager to call another assembly, but instructions from England seeking more mercantile controls on the tobacco market (this time excluding all export of loose bulk tobacco that was not packed in hogsheads) necessitated a new gathering in the spring of 1688. Effingham may have hoped that his bitter divisions with the assembly, at least as far as they related to towns, might have diminished in the intervening year, since the colony’s foremost urban advocate, Robert Beverley, had died and the governor had excluded his other leading opponent, Philip Ludwell. However, the urban plan was more than simply the dream of an odd few ambitious colonial gentlemen such as Beverley; it embraced a broad swath of the county leadership and touched deeper issues about local authority, so it was unlikely to accompany Beverley to his grave.

Sure enough, although Effingham opened the 1688 assembly by advocating a brief meeting to pass the bulk tobacco restrictions, within a few days the burgesses had concluded that the colony needed another town act. They hesitated momentarily while deciding whether to label the legislation an act for “towns” or for “ports”; despite their anger with the governor and with Stuart imperial pretensions, they opted to pander to the crown by calling

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93 Ibid., 238, 243-44; Billings, Virginia’s Viceroy, chap. 7; JHB, 2: 269-70, 274, 281.
94 Middlesex County made fresh efforts to relocate the courthouse to the new town whilst the assembly was wrangling with Effingham over the act. See Middlesex County Court Order Book, vol. 2, f. 193, 200-201.
the places “Ports for the better securing his Majesties Customs & revenues.” Flattering nomenclature was not going to win Effingham over, though. He promptly explained that the failed act of 1685 was still being discussed in Whitehall and that they would do better to spend their efforts on the business the king had directed them toward.95 The curious wrinkle, however, was that Effingham attached to his response a brief and cryptic letter he had received from William Blathwayt, in which the imperial overseer excused delays over the town legislation in London and noted that he had included copies of the customs commissioners’ reports. Nothing in the Blathwayt letter explicitly referenced a crown veto of the town plan based upon the ever-heightening fear in Whitchall of anything that might reduce revenue, but the customs commissioners’ reports that were supposed to be attached made that perfectly clear. When the assembly requested the attached customs reports, Effingham pleaded that in his weakened and fragile state he had neglected to bring them from his lodgings in Gloucester, but he assured them that the reports nixed the town legislation and that they should trouble themselves no further with their plans for new civic centres across the colony. Effingham’s strategy of leaving important documents at his distant residence had frustrated the burgesses during the previous session too, so although he certainly was not in good health, it seems likely that his chance inclusion of the Blathwayt letter while forgetting the attached reports was tactical. In effect the missing documents allowed the governor to shut down debate over the town issue. He recognized the king’s troubles in England and that imperial officials had lost patience with the inauguration of urban imperial controls in Virginia: by this point a fresh round of rechartering in English boroughs had met stiff opposition. Sick as he was, and eager to return to England,
Effingham used whatever tactics he could find to sidestep a town act that might return powers to the county justices. 96

A sickly Effingham waited out the year but left for England with the spring tobacco shipment of 1689. The Virginia he left was scarcely more urbanized than the one he had arrived in five years before, but it was not for want of effort on either his part or that of the colony's burgesses. Historians have long acknowledged Effingham's time in Virginia as one of conflict, but they have tended to see town development as an internal economic matter divorced from all but the most mercenary of mercantile considerations. Taking their lead from Effingham ally Thomas Clayton, scholars have portrayed the burgesses as squabbling, small-minded men, scrambling for their own short-term convenience. It served Effingham and his friends to paint such a picture, but in reality the contest lay between the governor and his subjects over who would establish and control potentially powerful new civic institutions in an expanding imperial system. There were certainly contests on the local level over the placement and control of new towns, but it was not these that stalled the legislation. The problem was that the burgesses would not allow Effingham the control over potential Virginia boroughs that James II was coming to expect over any civic corporation. Because town politics was such a big part of England's partisan divide during these years and because control over the tobacco trade was so lucrative to the royal court, the contest over Virginia towns became the very core of a battle over empire and statecraft in the Chesapeake. Few other issues appeared in assembly journals and Atlantic epistles with such regularity. Delegates fought Effingham over procedures and political rights, but no other proposal during these tumultuous years threatened such a wholesale remodelling of local power structures. The battle for the town in Middlesex or Surry was the battle for the constitution

96 Ibid., 2: 315-18; Billings, Virginia's Viceroy, 69.
of the English empire writ small. Effingham achieved little in terms of concrete structures or sturdy wharfs, but he cleared the path for his successor, Francis Nicholson, to make dramatic incisions in the colony’s political topography.97

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Virginia’s lawmakers spent much of the 1680s debating towns that were little more than sets of metes and bounds scratched on parchment, while huddled in ramshackle taverns and half-refurbished ruins in the only town Virginia had ever actually spawned. Despite their best efforts, planters from the northern counties had failed to unseat Jamestown as the colony’s capital, and it therefore became part of the battle over political topography. When the burgesses and the governor were fighting to control Virginia’s urban landscape as a whole, it is hardly surprising that they also wrestled to define the hesitant process of rebuilding its capital city. Bricks and mortar were less liberally applied to rebuild the city Bacon had burned, but during the 1680s the urban space of Jamestown was definitively reconstructed, primarily by Effingham, to reassert the location as a seat of power and order for the colony. Battles over the town’s official boundaries lingered, and they were supplemented by a dramatically increasing use of distinctive urban rituals and ceremonies, and even a fight over the symbolic architecture of new government buildings. These developments were a vital parallel to the fight over smaller new towns in the tidewater and played just as much of a role in defining the shape of colonial spatial politics in the Stuart empire.98

Bacon’s attack was nearly four years in the past when Culpeper arrived in Jamestown in 1680, but it was still a city under siege. The planters of the Northern Neck were

97 For the mercantilist perspective on the urban debate, see Rainbolt, From Prescription to Persuasion, chap. 5; John C. Rainbolt, “The Absence of Towns in Seventeenth-Century Virginia,” Journal of Southern History 35 (1969): 343-60. For Clayton’s comments, see A Letter from Mr John Clayton, 11. For Clayton’s links with Effingham, see Billings, Papers of Francis Howard, 458.
98 The only studies that analyze the rebuilding process in the 1680s are, Cary Carson et al., “New World, Real World: Improvising English Culture in Seventeenth-Century Virginia,” Journal of Southern History 74 (2008): 80-85; Billings, A Little Parliament; Billings, Virginia’s Vicerey.
vociferously advocating a relocation of the capital. With his own personal interests in Virginia's northern regions, Culpeper was probably well disposed to these suggestions, but his instructions on the subject (drawn from Herbert Jeffreys's opinions) were very clear: Jamestown was the "most ancient" and "the most convenient place for the Metropolis of that Country." The emphasis on antiquity was vital; Jamestown had to be retained as a symbol of the steady and permanent nature of English authority on the landscape because a colony whose capital shifted like the wind clearly lacked order. It mattered little that Jamestown was no more than a few burnt-out brick facades; this spot on the banks of the James River was imbued with power and authority from Whitehall's perspective. Culpeper pushed the burgesses to vote down the proposed relocation of the capital, but during his brief sojourns in the colony he did little else to rehabilitate it. His most significant contribution to Virginia's political topography came with his selection of a residence for his brief stays there. Ruined Jamestown was hardly an option for an English gentleman of Culpeper's stature, so he elected to take up residence with his widowed cousin, Lady Frances Berkeley, at William Berkeley's old plantation of Green Spring. Lady Berkeley had been using Green Spring as a centre of resistance against Jeffreys's government in the colony and Culpeper's decision to base himself there reinforced it as a centre of authority in the colony. The decision did little to help resurrect Jamestown, but it did ensure that the centre of political gravity in Virginia remained on the James-York peninsula. Whitehall instructed him to see that leading planters invested in Jamestown property, but he sanguinely recalled Berkeley's efforts in this direction, saying that such a plan was "once attempted in vain" and opining that "nothing but profit and advantage can" rebuild the town. Culpeper's interest was invariably financial. Any towns should maximise revenue for both himself and the

crown, and if Jamestown could not provide economic enticement to Virginia's leading planters, he was not inclined to force the issue purely for political prestige. When Effingham arrived in the colony, however, all that changed.\textsuperscript{100}

Effingham encountered a different Jamestown to that which had greeted his predecessor. Although there had been no large-scale public investment in the town, select individuals had begun rebuilding. Wealthy colonists such as Nathaniel Bacon Sr., Philip Ludwell, George Lee, and William Sherwood all leased the derelict Jamestown houses from the colony on condition that they refurbish the properties, and Culpeper wrote glowingly about the work Bacon had accomplished by 1683. These men likely envisioned short-term profit from resurrecting the provincial capital.\textsuperscript{101} But wealthy absentee planters were not the only ones at work in the town; it was also attracting a new set of ambitious young lawyers and merchants who began to reestablish a society of professionals. Successful Northern Neck planter and Stafford county burgess William Fitzhugh was also a practicing attorney who debated establishing an office in Jamestown; he eventually decided against it, but he retained numerous friends there that he promised to put to use for fellow lawyer William Leigh, who did intend to establish such a "Town practice." Urban community at Jamestown was resurrected through lawyers such as Leigh and Henry Hartwell, with whom Fitzhugh corresponded about a "Bacchanalian Banquet" in the town and the possibility of establishing a "loyalist" (to the Stuart crown) club there. By the early 1680s prominent and learned men who farmed plantations in the outlying regions of Virginia, such as Fitzhugh and William Byrd (whose plantation was in Henrico County), looked to Jamestown once again for news

\textsuperscript{100} JHB, 2: 135; CO 5/1356, f. 141; Pace, "Constructing to Command," 15. On Culpeper’s ambitions and his relationship with Lady Berkeley. see Billings, A Little Parliament, 80.

\textsuperscript{101} JHB, 2: 140-42, 151-52; CO 5/1356, f. 141.
and society. They both wrote to England lamenting their isolation from the information networks and gossip of "town" that might offer juicy tidbits for their epistles.\textsuperscript{102}

The group of men who engaged in this rebuilding work had no straightforward political bent. Men such as Nathaniel Bacon Sr. who were more inclined to work with the new imperial regime in England rebuilt alongside stalwart opponents like Philip Ludwell. Generally, however, the reconstruction renewed the problem of the town's political status. In the spring of 1682, the only thing the burgesses achieved before Sir Henry Chicheley prorogued the session was a piece of legislation to determine the boundaries of James City, confronting the questions that had been left unanswered when the 1676 act about the town's jurisdiction had been overturned in the aftermath of the rebellion. Precisely what conclusion the burgesses came to is unknown, but it was clearly insufficient; during the midst of their bitter dispute over the town act with Effingham in 1684, they again made an abortive effort to pass an act about the boundaries of James City. For those who had invested in the rebuilding process, such legislation was an attempt to precisely define the jurisdictional autonomy they had laid claim to, against both imperial officials and the county bench of James City County, and it was also likely an effort to prevent rural landholders near Jamestown Island from exercising sway over the reestablished town.\textsuperscript{103}

Effingham's arrival, however, threatened any thoughts of autonomy. The new governor had been given the same instructions as Culpeper to reestablish Jamestown as a "Metropolis," and he took this task more seriously than his predecessor. Effingham did not enjoy such a genial relationship with Lady Berkeley (who had, since Culpeper's departure, married Philip Ludwell and welcomed him to Green Spring), so he was forced to seek his

\textsuperscript{102} Davis, \textit{William Fitzjiminy}, 94-95, 121-22, 177-78; Manon Tinling, ed., \textit{The Correspondence of the Three William Byrds of Westover, Virginia, 1684-1776} (Charlottesville, Va., 1977), 1: 17, 19.

\textsuperscript{103} JHB, 2: 168-69, 251. For Nathaniel Bacon Sr. and Philip Ludwell, see Billings, \textit{A Little Parliament}, 51-52.
own abode in the colony. He settled on the Gloucester County home of Thomas Pate, the son of a London merchant with whom he dealt. Despite being on the other side of the York River, Effingham began to feel out the geography of power in the colony. When the time came for the session to begin, he arranged to embark on a grand procession from Pate’s home, across the York, and thence up the peninsula to Jamestown. Along the way he greeted local leaders who then escorted him to town; it took him seven hours to complete the arduous round of socializing and travelling, and in the process he met nearly four hundred men. No like event had ever been recorded on the arrival of a Virginia governor. Effingham wrote to his wife in exasperation over the burden of the march, claiming that he was “forced to do it” because the gentlemen of the colony “strive to make all the Expressions of Civility” through the event. Yet the ceremony served symbolic purposes for both Effingham and the gentry. The justices who met him at each stop along his journey allegorically alerted him to their authority over particular counties and neighbourhoods, much as English burgheight might turn out to greet a monarch who passed through their town. In following him to Jamestown, however, they marked the urban space as a seat of imperial authority, ceremonially tracing the flow of authority from the local level to the provincial hub, in a process reminiscent of the many journeys English county and town representatives made to present a petition in Westminster. As we have already seen, the 1684 session quickly degenerated into a bitter struggle over the control of potential urban spaces across the colony, and the burgesses’ eagerness to assert their own definition of local town development fit within the ceremonial discourse of centre and periphery that had been acted out before debate even began.104

104 Bills of Francis Howard,” “7: Bills of Virginia’s Vicemoy, 37-38. On the royal progress in England, see Mary Hill Cole, The Portable Queen: Elizabeth I and the Politics of Ceremony (Amherst, Mass., 1999), chaps 5-6. For the decline of royal pageantry in early-seventeenth-century England and the rise in civic ceremonies, see David
The governor was frustrated by the outcome of the 1684 assembly, but he did not give up on ceremonial plans to stamp Jamestown as a distinctly imperial seat. The following year a couple of opportunities presented themselves. In May news arrived of Charles II’s death and the coronation of his brother James. Given the religious tensions across the Atlantic during the past decade, the coronation of a Catholic monarch was a tense moment, but Effingham did not shy away from the news. He decided to have James II proclaimed “with all the solemnity and Ceremony, our Condition is capable of performing” specifically in Jamestown; only after that would copies of the proclamation be sent out to the colony’s counties. A similar pattern was followed in the autumn when news reached Effingham of the Duke of Monmouth’s failed plot – his proclamation narrated an official account of the revolt for circulation throughout the colony, but he elected to designate a day of thanksgiving for the foiled revolt specifically in Jamestown amidst the tumultuous 1685 assembly. We can get a sense of what degree of ceremony the town was capable of through yet another public event two years later, when Effingham issued James II’s declaration of liberty of conscience in religion: it was “to be published in James City on Tuesday next, with the beat of Drum, and firing of the Great Gunns, and with all the Joyfullness that this Collony is Capable to Express.”

Although such proclamations had been issued in Virginia before, they had never so explicitly outlined a topographical hierarchy between Jamestown and the rest of the colony’s jurisdictions. Later in Effingham’s tenure, he introduced a two-tiered ceremonial structure in which public events would occur in Jamestown two to three weeks before they were observed in outlying areas. This delay created time for news of the proclamation to

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reach all corners of the colony and for burgesses to return home to lead their local ceremonies, but it also underscored the division between the urban centre of authority and the outlying regions, and it was to become a firm part of Virginia's ceremonial structure during the ensuing decades. Days of public fasting, prayer, and ceremony were by no means unheard of in the colony before Effingham's arrival, but they became increasingly common throughout his tenure; they reinforced imperial political culture across the tidewater but also bolstered Jamestown's spatial authority as its epicentre.  

During a brief excursion to New York in 1684, Effingham found something akin to what he envisioned for Virginia. He wrote to the future James II – who was then still Duke of York – about the city that was under the duke's proprietary control. "This place is very delightfull," Effingham intoned, "by the healthfulness of the ayre, and the pleasantnesse of its situation, but much advantag'd by those amendments and reparations which the Governor hath almost perfected in the Fort, and by his Methodiseing in all places everything so prudently for the honor of the Government." What made New York so great in Effingham's eyes was the orderly "methodiseing" that an authoritanan governor had succeeded in imposing. New York's apparent order was to be abruptly shattered just a few years later by the rebellion of Jacob Leisler, but Effingham's comments give us a sense of what he valued and sought to achieve in Jamestown.  

Effingham also hoped to use the reemerging social network of Jamestown for royal purposes. In 1686 he wrote to William Blathwayt that he had helped to inaugurate a "Cockney Feast" for a social club of Londoners at the town, which was to be held annually on April 23, the anniversary of James II's controversial coronation. The feast had been

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106 The first ceremony offset between Jamestown and the counties appears in JHB, 2: 296-7. Effingham also issued orders for fast or thanksgiving in EJC, 85; Billings, Papers of Frances Howard, 374.
preceded by a sermon delivered at Jamestown church and followed by the lighting of bonfires around the town and the firing of guns. The Cockney society’s stewards asked Effingham to get the feast’s sermon published in London and also to get the event mentioned in the London Gazette because it was “the first society that hath been in this nature in this place.” “Truly,” Effingham added, “I am very glad it is begun.” Though the festivities contain echoes of the “loyalist” club and “Bacchanalian” feast that William Fitzhugh had corresponded about five years before, the difference in this case was the active promotion of a governor seeking to reinforce polite political activities in an urban sphere and to use the London print media to link such activities to the social world of the metropole. The story in the London Gazette was intended to highlight the commonality between two urban societies and create an Atlantic bridge in political culture. 10b

A closer look at the sermon that was delivered for the occasion, by Virginia clergyman Duell Pead, reveals an even more detailed appreciation of the connections among urbanity, politics, and English Atlantic empire. Pead took as his text the sixth verse of Psalm 122: “Pray for the Peace of Jerusalem.” From there he began with a highly visual comparison between the holy city of Israel and the metropolis of England. Pead gestured toward recreating the London cityscape, reminding his listeners of the “colleges and schools, the churches, halls, hospitals and almshouses, the magnificent piles of buildings which display the wealth as well as beauty of that famous and ancient city.” For an audience of Cockneys who cherished London as the city of their “nativity,” such scene setting and comparison to Jerusalem was clear flattery. In this description, however, Pead focused on religious and educational institutions and the grand architecture of recent years in the city; in a definite marker of the direction he intended to take, he neglected to mention the guildhall or the

10b Billings, Papers of Francis Howard, 256, 284; Davis, William Fitzhugh, 94-95.
livery companies. Returning to the explication of the text, he argued that the city’s greatest weakness was faction – which had been clearly on display recently in London – and that prayer should focus on eliminating such divisions. Model city aldermen should be “of one faith, one heart, one mind, and consequently in all their meetings, consultations, debates, rules, and precepts, may unanimously agree to become exemplary in piety and loyalty.” Distrust of faction and the dream of civic unity were certainly not uncommon in English political culture, but Pead went on to advocate a particular means of achieving this unity, namely through the crown. Prayer, he argued, should focus on winning for the city “the favour of God, and the good pleasure of her king. For all other ceremonies of state, enlargement of privileges, addition of riches, and accumulation of favours are dependent on these.” Drawing together urban architectural imagery with royal patronage, Pead argued that London should mirror Jerusalem “as a city that is compact together, or that is at unity in itself,” so that “the houses are not closer seated, than the inhabitants united, the former for the honour of the city, the later for the honour of his Majesty, and the safety of their country.” Pead was speaking to Virginians who saw London as the unique community of their birth, yet he was portraying the city not as a narrow and closed community but as one that might be renowned throughout the kingdom as a symbol of the power of its prince, James II. Such a city was a testament to the happiness and prosperity of England and its empire. Furthermore, Pead argued that London provided a model for Virginia to also develop a loyal metropolis, and that the club they had formed would be the bedrock of such an urban society, “for it can be noe shame for Virginia to take pattern from whence they received their first inhabitants.” Pead was nudging forward the self-consciously urban mindset in the colony through this sermon, but he was also pushing a particular kind of civic vision. London – and by extension Jamestown – was to be a city united in loyalty, overseen
by the monarch, and undergirded by just such clubs and ceremonies as the ones planned for that spring day in Virginia. Effingham no doubt sat proudly in the front row of Jamestown’s church as Pead outlined this vision of the imperial city.\textsuperscript{189}

Although it was preached from the pulpit of the town, this ideal of the colonial capital was contested. While they were battling the governor over town legislation for the whole colony, the burgesses also contested his control of Jamestown’s urban political space. After the 1680 assembly abandoned plans to move the capital, the issue of Jamestown’s central public building, the statehouse, remained unresolved. Early in the 1684 session, just a couple of weeks after Effingham’s momentous procession into Jamestown, the burgesses proposed a plan for rebuilding the capital. Their first priority was to consider the costs, and they investigated royal tobacco revenues and the ease with which they could tap into them to pay for the new building. Effingham was not impressed. He immediately replied that they had no right to meddle in the royal revenue, and although in better times the crown might agree to assist, currently there was no “money in banck undisposed.” The governor managed to push through a new tax on liquor to pay for the building. Though they agreed to this alternate funding, the burgesses were determined to retain a grip on the building process: they appointed a committee to assess the costs and draft a detailed plan, and they resolutely ignored the governor’s pleas that they expedite the process. Ultimately they contracted with councillor and Jamestown landowner Philip Ludwell, one of the fiercest opponents of royal policy in the colony, to build the new statehouse. Thus while the governor was squaring off

\textsuperscript{189} Richard Beale Davis, ed., “A Sermon Preached at James City in Virginia the 23\textsuperscript{rd} April 1686, Before the Loyal Society of Citizens Born in or About London and Inhabiting in Virginia,” \textit{EMQ} 3\textsuperscript{rd} Ser., 17 (1960): 380-94 (quotes, 382, 385-87, 394).
with the burgesses over the definition of urbanity for the rest of Virginia, he was also fighting them for the right to create the official spaces of the capital city.¹⁰

When the assembly met again a little over a year later, the issue became even more contentious. Effingham told the burgesses he had now surveyed the colony and settled upon the Governor’s Land near Jamestown as the best site for the governor’s residence Whitehall had instructed him to build. Having spent two years commuting to Jamestown from Gloucester, Effingham apparently wanted to make his presence more firmly felt in the town and compete with Ludwell, who now resided at Berkeley’s old Green Spring Plantation, not far from the town. The same battle over funding erupted again, however, because the governor refused to allocate royal revenue for the project, insisting that the colonists ought to pay for his expensive new pile. Needless to say, the home never got built.¹¹

The statehouse, however, was taking shape. Ludwell had dutifully begun work earlier that year and the burgesses met in the half-finished structure. Money was no longer the primary concern in that fight. The assembly’s plans for the building, though, revealed that they intended to change the layout from that of the previous structure. The colony’s secretary and all the essential land and legal records of the province were to be relegated to the damp basement, dug into the swampy soil of Jamestown Island. The “Porch Room” that had previously housed these records was handed over to the clerk of the assembly, none other than the stalwart troublemaker Robert Beverley. When Effingham challenged this decision, he was tersely informed that the secretary, as a royal appointee, could not work in an office where he might overhear the delegates debating in the adjoining chamber. The burgesses believed that their chamber was to be at the heart of Jamestown’s urban complex and that the spatial order emanating from it should be under their control. Compromise was

¹⁰ *JIB*, 2. 205-6, 209, 220, 225, 245.
¹¹ *JJC*, 1 81, 86.
eventually reached on this issue when the burgesses promised better provision for the provincial records, but before such agreements could be fully concluded, the session had begun to blow up in bitter acrimony over Effingham’s decision not to sign the unamended town act. The allocation of space in the city’s new statehouse and the question of who should pick up the bill for the governor’s new suburban mansion were both challenges to Effingham’s control over Jamestown as an imperial civic space that paralleled the more dramatic fight about his larger urban vision for the colony.¹¹²

Even after the statehouse was completed the following year, the burgesses and the governor could not resolve their fight over Jamestown’s prestigious public buildings. Given the burgesses’ determination to command the design of the statehouse, it was hardly a surprise that Effingham refused to make his office in whatever corner of the building the delegates might allocate him. Instead he arranged with prominent loyalist and Jamestown resident William Sherwood to lease rooms in one of his town properties. Archaeological excavations have shown the move was no makeshift arrangement relegating the governor to a grotty backroom. Sherwood had refurbished the house he rented to Effingham with ornate plasterwork and all the accoutrements of a purpose-built dining room. If the burgesses were to have a grand chamber at the heart of Jamestown, Effingham would have an extravagant office to rival its status.¹¹³ The burgesses then responded in kind by outlining a profligate international spending spree to furnish their chamber with a “Turky worke Carpet for the Assembly room also three Spanish tables for the Office & Committee rooms, two dozen of Russia leather Chayres, six Lanthornes, six large brass Candlestickes, & Candle Snuffers and six Sconces.” For a colony too poor to fund a governor’s residence, this was quite a

¹¹² Ibid., 1: 90-93; Billings, A Little Parliament, 146-47.
¹¹³ Carson, “New Worlds,” 80-85; Cary Carson et al., Evaluation of Previous Archaeology (Williamsburg, Va., 2006), 52-57.
shopping list. It emphasized how threatened burgesses felt by Effingham’s rented rooms a few yards down the street. Colonial representatives were not merely fighting to stay ahead of the metropolitan fashion curve, they were using the finest objects they could acquire to rival the governor’s control of genteel urban space.\footnote{14} Effingham encapsulated the struggle in an epistle to Blathwayt. One of his biggest challenges during his final assembly in 1688, he explained, was the location of Philip Ludwell’s home. The governor had excluded Ludwell from his council because of his overt opposition and had also blocked his election as a burgess. Ludwell, however, had built the statehouse and owned a property immediately adjacent. Through the session, Effingham explained, “the Caball of that Gang being Constantly held at his house” enabled him to easily direct opposition. Men such as Ludwell resolutely stood in the way of Effingham’s remodelling Jamestown into a loyal court-dominated capital akin to James II’s Westminster.\footnote{15}

During those waning days of Effingham’s stay in Virginia, his name was repeatedly besmirched in London with accusations of corruption and autocracy. His vociferous responses demonstrated his belief in the concept of an imperial seat. When challenged by two naval commanders in the region, Thomas Allen and John Crofts, he made his position at Jamestown a centrepiece of his response; he explained that whenever these men were “in James Towne, I have constantly treated them at my owne Table with the Councill with all suitable respect.” He implied that he had always been available in the town to address complaints, but the naval commanders had preferred to stay out in the bay away from the colony’s legitimate centre of authority. When they came to town, Allen and Crofts were almost certainly greeted in William Sherwood’s fashionable new suite of rooms. These

\footnote{14} JHB, 2: 283. 
\footnote{15} Billings, Papers of Frances Howard, 383. For the exclusion of Ludwell, see Billings, Virginia’s Viceroy, 72-73.
spaces were central to the governor’s attempt to imprint imperial control on Virginia’s capital city. Unfortunately for Effingham, the colony was still plagued by the same geography that had hampered Jamestown from the very start – Allen and Crofts could happily sail the Chesapeake, harass merchants, and challenge his authority without ever darkening the door of his urban abode.  

Scholars assessing 1680s Jamestown have seen the piecemeal physical redevelopment as the origin of an urban form for Virginia, claiming that Sherwood’s refined rental rooms presaged a limited but successful model of the capital as simply a cluster of expensive inns serving the pretensions of local officials. Such a view is not incorrect – the colonists had hit on a viable financial model – but it is only part of the story. A narrowly socioeconomic reckoning of adaptation and survival in Jamestown neglects all the dreams and aspirations that Effingham and others harboured for the town and their connotations for Atlantic political culture. Sherwood’s expensive house, Fitzhugh’s bacchanalian feasts, and the new statehouse’s Russian leather chairs were not just fashion statements; they were attempts to mark the urban space and to claim authority over the colony’s “metropolis” within an increasingly organized, closely governed and administered empire. Despite Berkeley’s best efforts during the 1660s, it was actually Effingham’s endeavours during these testy times that advanced the vision of the colonial capital as imperial social hub. Jamestown in the 1680s lacked the ambition of Francis Nicholson’s vision for Williamsburg ten years later, but it presaged the imperial ideas about the ceremonial and social use of civic space that came to fruition in the new capital. Throughout the debates over the town acts, the burgesses were nervous about surrendering too much urban control to imperial officials, and given the

116 Billings, Papers of Francis Howard, 340, 351-52. For the campaign waged against Effingham in Whitehall, see Billings, Virginia’s Vicerey, 82-88.
glimpses of the spectacle and symbolism of Stuart civic ambition that Effingham managed to manufacture in their midst at Jamestown, it is hardly surprising.”

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Despite the transatlantic turbulence of the 1680s, the fight between English imperial authorities and the majority of the Virginia elite over town legislation and the control of Jamestown has been obscured. To be sure, historians have acknowledged the intense interest in town building in the Chesapeake during this period, but it has been viewed as an internal debate constrained by economics. One contemporary pamphlet suggested that “the major Part of the Members [of the assembly] having never seen a Town, cannot therefore imagine the Benefit of it, and are afraid of every Innovation that will put them to a present Charge,” and this image of the events of the 1680s has been replicated in modern accounts. Burgesses have been portrayed as blinded by the short-term profits involved; in this disabled state they have been pictured feeling their way to unsatisfactory solutions, swayed by fluctuating tobacco prices and frustrated by imperial administrators only interested in the revenue on the next tobacco ship. By now it should be clear that the level of constitutional and political debate about the town legislation in the colony far outstripped this account and that veiled references to England’s urban strife lay behind a number of the impasses and innovations. To put these debates in context, it is worth briefly revisiting the pamphleteers’ assertion that the majority of colonial lawmakers were completely ignorant of the nature of a town and the legal, political, and economic advantages it might convey. Surveying the membership of both Virginia legislative houses through all assembly sessions of the 1680s

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and considering how they might have developed their ideas about urbanity helps explain the contentious debates of these years. It is worth paying particular attention to members (some well-known, some less so) of those sessions who, far from being urban novices, had personal connections with corporation politics in a variety of English boroughs and were aware of the forces that were reshaping them.

Virginians were informed about the major political upheavals in England during the 1680s. Effingham was alarmed, for example, by the way news of Monmouth’s revolt spread around the colony. He claimed burgesses drew “Impudence” from the news of it, and he was forced, as we have seen, to issue a proclamation outlining an official account of Monmouth’s defeat in order to counteract contrary reports. How did these reports arrive in the colony? The most official source was government correspondence sent to Effingham and other royal officials such as secretary Nicholas Spencer. However, little beyond the necessary details was recounted in their letters and Effingham was likely especially careful about whom he communicated this information to. The most regular source of news was therefore ship captains who criss-crossed the Atlantic and the merchants’ letters that they carried back and forth. In a number of cases burgesses were related to English merchants and acted as their colonial factors, meaning they were in regular contact with family members caught up in England’s political unrest. John Woory, nephew to the Yeamans trading family of Bristol, and Peter Perry, linked to the great London tobacco merchant Micajah Perry, were burgesses during the 1680s for Isle of Wight County and Charles City County respectively. The political detail and gossip in these letters may have been tempered by merchants’ efforts to remain as apolitical as possible when factious stances could be bad

\[19\] Billings, Papers of Frances Howard, 235-36; Duell Peal’s sermon to the Cockney society also indicted intimate knowledge of London’s factionalism, see Davis, “A Sermon,” passim.
for business, but the comings and goings of daily life could never be totally divorced from politics even for men who shied away from such matters.120

Many merchants also substituted or supplemented detailed accounts of English politics with published material such as newspapers and books. William Fitzhugh wrote to a business associate in England asking that he reply with “your News or printed News to the value of twenty or thirty shillings.” The Cockney society’s attempt to have Peed’s sermon published in London reveals their familiarity with the role of print media in urban politics.121 Nor were urban influences in print media limited to ephemera. Some of the wealthiest planters had acquired extensive libraries, and although the records of most have long since vanished, we know that council member Ralph Wormeley, longtime antagonist of Middlesex County’s urban development, owned a number of important volumes that helped define English identity in this period through chorography, including Camden’s Britannia. His shelves were also replete with volumes on the geography and structure of London and one volume simply entitled The Citys and Towns of England. These books did not reflect the recent confrontations between the Stuart crown and the English corporations, but they certainly put a survey of England’s political topography and its evolution over the past century well within reach.122 Whether through epistles, newspapers, or lengthy published texts, most Virginia planters who reached the level of burgess could access information about the nature and purpose of English towns and their contested place within the emerging English state.

120 For political news sent to officials, see “William Blathwayt to Lord Baltimore, 9th Feb. 1682/3,” “William Blathwayt to Nicholas Spence, 4th Sept. 1684,” Blathwayt Papers, vol. 18. For Wooy and Perry, see Lyon Gardiner Tyler, Encyclopedia of Virginia Biography (Baltimore, Md., 1915), 1: 304, 363; Thomas Jarvis, a founder of Hampton, was a ship captain and almost certainly part of the Atlantic information network, see Thomas F. Higgins, Charles M. Downing, and Donald W. Linebaugh, “Traces of Historic Kecoughtan: Archaeology at the Seventeenth-Century Plantation,” Virginia Department of Historic Resources, File No. 95-0649-F, 22, 118 (thanks to Hank Lutton for sharing this material). For tobacco merchants, see Price, Perry of London, chap. 4.
More important than any quantity of printed matter, however, was a wealth of lived experience and family heritage. In the 1680s a significant number of colonists had still been born or lived in England's towns prior to emigration, and of the increasing number who were native-born Virginians, many had fathers who could boast civic associations. In other circumstances urban officeholding in England could easily pass from father to son, and so the young men who came to Virginia from a lineage of corporate officers were more than likely aware of such traditions. Although we cannot recover the family histories of every man who represented his county in Jamestown during the 1680s, there is enough information to suggest a pattern. Of the 112 men who served as burgesses in these assemblies, approximately half of whom were immigrants, 22 had definite, traceable origins in English boroughs, and a further 7 of the native-born Virginians were from lineages of rich civic tradition. Thus more than a quarter of all the men who sat in these sessions had some familial connection to urban communities, and given the number whose origins remain totally obscure, the true figure was likely closer to a third. These were hardly men divorced from the urban realities of the mother country.\(^\text{123}\)

Among the elite colonists with intimate family ties to London were William Byrd, William Sherwood, and Arthur Spicer. Byrd was the eldest son of a London goldsmith, and as such was probably groomed to succeed his father in the jewellery business and in membership of the system of guilds, wards, and parishes that made up the city until his uncle bequeathed him a large estate on the Virginia frontier.\(^\text{124}\) Spicer may have been raised in London, because his brother John lived in the city. They may both have been scions of John


\(^{124}\) Richard Croom Beatty, *William Byrd of Westover* (Boston, Mass. 1932), 1-3; Tinling, *Correspondence*, 1: 3.
Spicer, a London clothworker during the early seventeenth century, or equally they may both have grown up in the town of Northampton, from whence another John Spicer arrived in London during these years and joined the Stationer’s Company. Sherwood’s youth was spent in a very different side of London politics. Born in 1641 in Whitechapel, a suburban parish outside the corporate boundaries to the east, he leapfrogged the city altogether when he accepted an administrative clerk’s position in courtly Westminster during the Restoration. Disgraced by accusations of cheating his employer, Joseph Williamson, he eventually arrived in Virginia during the 1670s. We know frustratingly little about the experiences of these men in their teens and twenties, the ways they viewed the city during the Restoration, and whether they lived in the narrow lanes of old London or the polite suburbs beyond Ludgate. What is clear, however, is that they lived through the changing shape of city politics and had family members still involved in these events.

Almost as many Virginians were tied primarily to England’s other major tobacco port, Bristol, and were thus caught up in the equally bitter politics there. John Woory had family ties to the staunchly royalist Yeaman family in the city. On the other end of the spectrum, Miles Cary, burgess for Warwick County in the Virginia assembly, came from a line of Bristol puritans who were extremely active in city politics. Planter need not even have hailed from one of the great trading entrepots to be well versed in English urban

125 Tyler, Encyclopedia, 329; London Aldermen’s Repertories, 38, f. 103b, London Metropolitan Archives; Corporation of London Freedom Registry, 123 (c), London Metropolitan Archives.
127 For Woory’s family connections, see Tyler, Encyclopedia of Virginia Biography, 363. Woory’s mother was Patience Woory (née Yeaman), whose brother, Sir John Yeaman, was a Barbadian planter, likely a royalist colonel in the Civil War, and a future founder of South Carolina; another member of the Yeaman family, Robert Yeaman, was executed in 1643 for betraying Bristol to royalist forces. See Parish Register of St. Mary’s Redcliffe, Bristol, fCP/ St. MR/R/ 1 (b) 1-2, for 26th Feb. 1614/5, and 23rd Apr. 1633; Robert M. Warren, “Yeaman, Sir John” and A. F. Pollard, “Yeaman, Robert” in ODNB. For the Cary family, see Sara B. Bears, ed., Dictionary of Virginia Biography (Richmond, Va., 1998-), 3: 111-12; for their role in Bristol, see “Cary Family Genealogy,” Info Box 13/2, Bristol Records Office; for the later Cary family’s politics in Bristol, see David Harns Sacks, The Widening Gate: Bristol and the Atlantic Economy, 1450-1700 (Berkeley, Ca., 1991), 339-43.
politics. Effingham’s stalwart opponent over the town acts, Robert Beverley, came from a long lineage in the town of Beverley in the East Riding of Yorkshire, but in the years before his emigration his parents had settled in the nearby city of Hull. Born in 1635, Beverley reached maturity just as the Civil War gripped the city, resulting in bitter divisions, a purge of the corporation, and a struggle among various armies for the town. All the while, Beverley married and had a son. It was only when his wife and young child died in 1663 that he abandoned Hull and moved to Virginia. The man who led the struggle to define urban governance in Virginia was therefore a veteran of political purges and counter-purges in Hull – he lived in the city as it came to terms with Cromwell and then supplicated itself for a new royal charter at the Restoration. He understood the stakes of civic politics.¹²⁸

Scholars have long argued over the extent of the English cultural baggage colonists brought to Virginia, but in searching for the roots of eighteenth-century planter gentility they have either overlooked urban experiences or have seen them as a tempering, dislocating, or modernizing influence on new colonists that prevented the immigrant generation from achieving the agrarian idyll that their sons managed to cultivate. This vastly underestimates the distinctive political culture of English towns and the institutional structures in which men such as Byrd and Woory were raised. Rather than trying to typecast immigrants as either polite rural gentlemen or hard-nosed mercantile capitalists, we should appreciate that profit and political culture were not polarities and that growing up in the city gave these men economic acumen but also a distinctive understanding of the role of the state in local government and the market, which was forged in the tense atmosphere of city politics.¹²⁹


Unfortunately, for most of these men a precise survey of the contours of their urban ideas is impossible. We might know their place of birth, their father's occupation, or even their primary mercantile contacts, but we cannot connect them personally to the factional politics of the town. One interesting and important exception is William Fitzhugh, the planter and burgess from Stafford County who chaired the assembly's town debate in 1684 and socialized at Jamestown, who was forced from office during the tumultuous session of 1685, and for whom we have a uniquely complete letter collection.\(^{150}\) Fitzhugh was born the youngest son of a woollen-draper in the borough of Bedford in 1651. Although a comparatively small town, Bedford was tightly ensnared in the politics of Civil War England – the presence of Puritan leader John Bunyan ensured as much. Fitzhugh's family was as divided as the town itself. His uncle Francis fought for Parliament, joining the town corporation in 1649 when Parliament was ascendant, but his father, Henry, and his uncle Robert were both already members of the corporation and their attendance at meetings during the Commonwealth era dropped away sharply. Henry Fitzhugh was mayor of the town in 1649, a year when it was beset with factional divisions. Radical members of the corporation pushed for a new parliamentary charter that would liberalize the institutional structure, and Fitzhugh appears to have resisted these measures. The following year he was replaced by leading Independent John Easton, significant changes were made to the government, and he declined to attend future meetings. Although another of William's uncles, Hugh Fitzhugh, led an English reformed church in Amsterdam, Robert and Henry were never members of Bunyan's puritan meeting in Bedford. In fact, Henry's father-in-law, William's maternal grandfather, Giles King, was an outspoken opponent of local puritans in

\(^{150}\) For Fitzhugh's role in the town debate of 1684 and his controversial exclusion in 1685, see JHB, 2: 136-37; THBJ, 7, 17, 26, 35. Fitzhugh's complete correspondence can be found in Davis, William Fitzhugh.
a rural Bedfordshire parish and was excluded from his living during the war. The young William Fitzhugh was therefore an eyewitness to tremendous instability in the civic institutions of Bedford. Henry Fitzhugh contracted an ill-advised debt during these years and, after defaulting, was forced to find employment overseeing the army in Cork, where he died in 1664. This misfortune severely restricted the prospects of his young son William, helping to explain his decision to slip away to Virginia. The family’s involvement in Bedford politics did not decline in the slightest, however. William’s uncle Robert continued to act as an alderman in the town, and when he was called on to serve as mayor in 1679 he aided Charles II’s efforts to purge the corporation.131

Fitzhugh bore witness to his continued affection for the borough of his youth by naming his Potomac River plantation “Bedford.” Through all its factional strife and his father’s financial troubles, he retained an explicit association with the town. The surviving letters between William and his English family do not contain details of these events, but they do suggest a continued interest in the borough’s civic affairs. He was also well acquainted with the intricacies of the far larger urban sphere of London. In letters to his family, he gave precise directions for them to navigate the city’s streets in search of men who might accept letters for shipment to Virginia.132 More than just practical, though, he had a considerable interest in towns and cities as physical, artistic, and social spaces. His will mentions a “Large Mapp in my Study,” and also the “remt. Of the Pictures & Mapps.” That


132 Davis, William Fitzhugh, 170, 200.
some of these were images of cities is clear from an earlier letter to England about a shipment, in which he noted that “two of the Citys to wit London & Amsterdam were utterly spoiled with the wet.” Printed collections of urban images were produced by publishers across Europe, out of an interest in urban design, but when they portrayed places known to the viewer they could also be redolent of space, place, and identity.

We cannot know precisely how Fitzhugh read these images, but we know that he wrote to friends about social gatherings at Jamestown and planned the development of towns along the Potomac while he sat in a study surrounded by these prints and engravings. In the late 1680s, during a respite from government business, he had less reason to journey to Jamestown and looked more longingly at the images on his desk. He lamented to his London friend Nicholas Hayward that in Virginia “society that is good & ingenious is very scarce, & seldom to be come at except in books.” He hatched a plan to swap his extensive colonial estates for English property, either rural or urban. Using his knowledge of English urban politics, he inquired with Dr. Ralph Smith, who, as he explained to Hayward, was “an inveterate Whig & one that has good credit & Interest in Bristol with that party.” Knowing that significant numbers of Whigs – discontented in 1686 with James II’s aggressive policies – were fleeing England, he targeted the divided community of Bristol. It is unlikely that Fitzhugh ever intended to take up residence in that town when many of his friends and associates lived in London, but it demonstrated that he perceived and sought to work through the social networks of England’s boroughs.

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133 Ibid., 161, 379. Fitzhugh’s study likely contained at least a few of the recently published county and town histories becoming popular in England. No record of Fitzhugh’s library survives, but he did express a strong desire to pen such an account of the history and geography of Virginia himself, suggesting that he was familiar with this genre. Ibid., 223, 245, 318-21. For the rise of this literary form, see Rosemary Sweet, *The Writing of Urban Histories in Eighteenth-Century England* (Oxford, 1997), passim.; Tituler, *Townpeople and Nation*, chap. 5.
134 Davis, *William Fitzhugh*, 175, 177-78, 201-5.
Fitzhugh’s associations and interests are far from typical, even for a member of the colony’s elite. But his correspondence does offer insight into how the lineages and mercantile connections of other leading planters might potentially have translated English urban political culture to Virginia, and helped them frame the urban debates that this chapter has elucidated. Fitzhugh was one of the colony’s most avid investors in slave labour and a staunch supporter of the Stuart crown in the 1680s—hardly an ally of men such as Beverley and Ludwell in their battles against Effingham. Given his early life and his political proclivities, he likely did not look on extensive civic independence with a generous eye, but he still appreciated the intricacies, opportunities, and identity of the borough as a social form, and he still lobbied, voted, and invested to make Virginia towns a reality. Many miles from Jamestown, London, and Bedford, in a distant frontier county of Virginia, Fitzhugh was fully engaged in the urban political culture of empire, and he stands in for a whole gamut of planters who had different but analogous associations with towns and the political and economic problems they posed in the Atlantic world.  

Two days before Christmas 1688, James II fled England, paving the way for the Glorious Revolution. A few months later Lord Effingham skulked away from Virginia, wearied by the continued attacks on his government. Both men hoped to return eventually to their respective governments, but neither ever did. Each man’s tenure, however, had reshaped the relationship between the city and the state, and the politics of urbanity and urban development could not simply return to the status quo. These were not years of gradual urban evolution, during which the English and Virginia gentry stumbled upon new civic forms. The ferocious divisions of the 1680s recast the political topography of state and

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135 For Fitzhugh’s status as a slaveholder, see Coombs, “Building ‘the Machine,’” 86-88.
empire. Colonists across the economic spectrum invested in towns and a sizable portion were well versed in England's civic debates. Their responses to Effingham were not always consistent and, as the events in Middlesex County attest, they were rarely unified, but they were framed by the same language of protest that characterized English borough opposition.

In the aftermath of Bacon’s Rebellion, wealthy planters had set to work building a landscape of large plantation homes, arranged around local county courthouses and parish churches. Slave importations rose, allowing these same men to minimise the number of servants they imported and thus reduce the number of former servants who might scatter themselves across the county. In short they cemented the ties between their sizeable estates and the structures of local government. Whitehall’s push for urban development represented a desire for a new and rival political order across the Chesapeake landscape, and the extent of imperial oversight implied in metropolitan plans grew through the decade in parallel with the ambitions for state control over English boroughs. Planters, working hard to assert the boundaries around their local jurisdiction, were fully aware of this threat and articulated a vastly different urban vision, through which they would take responsibility for a larger number of towns. Effingham and the assembly thus fought with rhetoric, regulations, and ritual for control of the whole range of urban, quasi-urban, and proto-urban spaces. The division of the colony into commercial and political units became a thoroughly Atlantic contest over the authority of the imperial state. The planters (through slavery and land speculation) and the crown (through imperial administration and customs) had both gained the ability to project power down to the lowest institutional levels, and had thus made these boundaries between counties, towns, and parishes into imperial political issues.

Town development plans were not the only place where colonists felt the impact of empire during these years – their tobacco prices, coinage, and Indian trade were all
challenged – and there were countless rivalries within particular counties. However, the local divisions on the landscape gained greater meaning. Their implications for Atlantic political hierarchy were fully recognized and hotly contested. The stage was set for a dramatic shift in the urban hierarchy of colonial Virginia. Jamestown, unable to support the weight of political symbolism that both colonists and officials wanted to build upon it, was abandoned, and the colony embarked upon its most ambitious urban plan of all: the city of Williamsburg.\textsuperscript{136}

\textsuperscript{136} For the impact of imperial ambitions on the colonies, see Lovejoy, \textit{The Glorious Revolution}, chaps. 9-11; Stephen Saunders Webb, 1676, passim.; Bliss, \textit{Revolution and Empire}, chaps. 8-9; Richard R. Johnson, \textit{Adjustment to Empire: The New England Colonies 1675-1715} (New Brunswick, N.J., 1981), chap. 2. For the local rivalries in the Chesapeake, see Rutman, \textit{A Place in Time}, passim.
Part Two

Town Development in a Proprietary Colony: Maryland, 1632-1692

Sailing down the Chesapeake Bay, on a September afternoon in 1659, Augustine Herman heard gunfire and the distant echoes of martial tunes. The Bohemian, who came to play such an influential role in Maryland as a mapmaker, was still at this point a Dutch emissary on an urgent errand of diplomacy. Captain Nathaniel Utie, a member of the Maryland Council, had made some distinctly unsubtle threats to the Dutch and Swedish settlers in the Delaware valley and Herrman, as a prominent burgher of New Amsterdam, was travelling to St. Mary’s City to attempt peace negotiations. Unsurprisingly, when Herrman heard the gunfire, he suspected Utie - whose plantation was nearby - was tramming for an assault on the Dutch-controlled region; other Maryland colonists in the area, though, were less apprehensive – they guessed that the faint noises signified some kind of “feast or frolic” that had brought together the dispersed residents of this thinly settled region. With no definitive answer to this puzzle, Herrman and his colleagues sailed on, and within a few days reached St. Mary’s.

Whilst they awaited Governor Josiah Fendall, the emissaries dined with Lord Baltimore’s brother Philip Calvert, a senior councillor and influential figure in the colony. Herrman noted in his diary that they “conversed about New Netherland and Virginia” and debated “the conveniences of both” until Calvert concluded that “he wished Maryland may be so fortunate as to have cities and villages like the Manhattans.” Herrman had other pressing business on this mission, and did not record his impressions of Philip Calvert’s aspiration, but in his voyage to St. Mary’s he had certainly seen plenty of evidence to suggest that this urban dream was far from being realised. The conceptual gap between the frontier

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settlers of the upper Chesapeake Bay, attending an isolated “frolic” at Utie’s plantation, and
the Calvert dream of “cities and villages” was considerable. In the thirty years that followed,
the proprietors sought to close that gap, by pursued Philip Calvert’s vision of urbanization.
They looked to other areas of the Atlantic world and to the politics of English boroughs for
precedents, and attempted to secure their shaky political and economic hold over their
colony through a concerted, but repeatedly frustrated, strategy of urban development.2

It is worth noting what this coveted mix of “cities and villages” was not. Firstly, it
was defined in opposition to the perceived rurality of Virginia; although Herrman did not
note the balance of pros and cons that he and Calvert worked out over dinner that night,
they agreed Virginia was not the preferable model to follow in colonization. The Calvert
vision was to be distinct from its neighbour to the south. The civic incorporation efforts in
Virginia had floundered by the late 1650s, and this conversation suggests that a distinct
urban vision for Maryland was being worked out prior to, and independent of, Berkeley’s
restoration-era plans for Virginia. Although there would be many parallels in the urban plans
of the two colonies in the coming decades, the developments arose from different men, with
different visions and political circumstances, employing similar urban ideals in similar
economic and geographic circumstances. The fact that this process took subtly different
tracks in these neighbouring colonies, which shared a staple crop and a riverine landscape,
highlights the central role of political and cultural factors in the town debate.3

Secondly, it is equally important to note that Calvert and Herrman did not conclude
that all of Maryland’s troubles could be solved through the development of one large trading

2 “Journal of the Dutch Embassy to Maryland, by Augustine Herrman,” in Clayton Coleman Hall, ed.,
Narratives of Early Maryland (New York, 1910), 309-333, quotes from 316, 322.
3 Scholars have generally approached urbanization questions as common to both colonies, see Carville Earle
and Ronald Hoffman, “The Urban South: The First Two Centuries,” in The City in Southern History: The Growth
24-25; Carville Earle and Ronald Hoffman, “Staple Crops and Urban Development in the Eighteenth-Century
port akin to New Amsterdam. They settled on a balance of larger and smaller settlements comparable to "the Manhattans" as a whole, and as dinner continued Herrman explained that the Dutch used the term Manhattans to refer to the entire region and not simply the city. Scholarship has focused some attention on the developments at St. Mary's City during the 1660s and 1670s, and connected faint signs of a grandiose urban plan with the aspiration Philip Calvert disclosed to Herrman. A dream of "cities and villages," however, asks for a broader analysis. A redeveloped capital was only the pinnacle of a larger process of reform. It is necessary to place the stuttering physical and institutional developments at St. Mary's City back into the context of cohabitation proclamations and legislation for the whole colony of Maryland to reveal the full workings of the integrated new settlement system and social topography that the proprietors and their circle had in mind.4

Ultimately, of course, colonial Maryland's settlement stem never did come to resemble that of New York, and until the late-eighteenth-century rise of Baltimore, it did not incubate a city on that scale. Urban dreams were frustrated at every turn by forces both internal and external to the province, many of which paralleled the experience of Virginia.5

In Maryland, however, the failure must be understood in light of the Calverts' aspiration for "cities and villages" as a new method of establishing their political control over the colony.

The corporate charter of St. Mary's City and the fitful plans for other ports and towns


suggest that they were borrowing from Restoration ideas of urban political control and seeking to establish corporations as an alternative, and more loyal nodes in the process of state-building. Just as in England, this effort at autocratic town development met with a considerable opposition, but in the colonial context of English merchants, imperial administrators, and the structures of the tobacco economy, shouts of discontent and dissatisfaction could find a more ready ear in Whitehall than disgruntled English townsmen could ever dream of. The proprietary authority was thus forced to balance its dreams of unilaterally shaping a new settlement pattern and political order with the need to win over popular and imperial support for the new towns. Urban places could only function as nodes of control if they actually generated the communities of loyal and empowered citizens that they promised, and this required at least a portion of the colony’s population to actively embrace and believe in the Calverts’ urban plans. In short, the proprietors thought that towns might create new kinds of citizens, but they also needed to convince colonists that these roles existed to be filled. As a result, town development became a key part of the constitutional struggles between the Calverts and their colonists which eventually brought down the proprietary family in 1689.

The following two chapters will flesh out the twists and turns of the proprietor’s urban dreams in Maryland, up until Baltimore lost control of the colony. Chapter 4 will begin by demonstrating that Cecil Calvert, 2nd Lord Baltimore’s difficulties in controlling Maryland in its first few decades were partly a result of his failure to define the landscape through his initial manorial system, and will then consider how the idea of “cities and villages” was his response to this problem after 1658. It will then consider the contest over plans to reinvigorate St. Mary’s City and establish a network of ports, demonstrating that these battles between the Calverts and their assembly were connected to wider political
debates about the status of the assembly and colonists' inherent rights. Ultimately this vision proved elusive, and when Charles Calvert returned to England in 1678 he lamented that "other places we have none that are called or can be called Townes." Following this gloomy description, however, the 1680s saw a renewed zeal for urban development in Maryland for a number of reasons, and this will be the subject of chapter 5. It will investigate why more colonists gradually came to favour urban development during this decade, but also how they constructed their nascent civic societies in stark contrast to the ideals of the Calverts. In addition it will demonstrate how the increasing pressure of English imperial control that played such a significant role in Virginia's town development, became a troubling additional alternative in the colony. Finally, this chapter will explain how these interests and urban visions came to play an important role in the events that led to the Calverts' ouster from power in the colony. Together, these chapters will demonstrate how, in line with Restoration experience, a new system of towns and villages was intended to assert proprietary power, but also how this vision relied upon the participation of a critical mass of the colonial population, many of whom drew different ideas about the use of civic political power from English corporate traditions.

6 Archives, 5: 264.
Chapter Four

“Our City of St. Mary’s”:
Lord Baltimore and Civic Politics, 1632-1678

At first glance it appears odd that Philip Calvert was still debating the settlement pattern for his brother’s colony more than twenty years after the Ark and the Dove dropped anchor in Maryland. But a closer look at the turbulent times from which the colony was only gradually emerging in 1659 provides a better context for his dreams. Maryland’s early history was dogged by religious and constitutional divisions between Lord Baltimore and his colonists. Because Baltimore had been unable to assert his power over Maryland’s social topography in the previous decades, his brother was still groping for a new structure to impose when proprietary government was reestablished in the late 1650s. Between them, Philip Calvert and his young nephew Charles, who later become the third Lord Baltimore, formulated a new vision of urban incorporations and port towns to anchor their authority over the colony, but in the process they raised a whole gamut of constitutional questions that marred the province’s political life and imperilled the very foundations of their authority.

The second Lord Baltimore, Cecil Calvert, had initially planned a manorial system for Maryland. Leading supporters would be granted large patrimonies, with broad authority, and numerous other colonists would be lured with a headright of land akin to Virginia’s system. Manors were more than large land grants because they were to house manorial courts allowing the largest landholders to exercise a feudal form of local authority. However,

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manorial grants were not the full extent of Calvert’s initial vision.2 His instructions to the first party of settlers in 1633 were to identify one location “that is probable to be healthfull and fruitfull,” which “may be convenient for trade both with the English and savages.” It was essential that the colony have a town. The settlers were to inscribe this urban centre symbolically with a grand ceremony and an oath of allegiance to the King “unto all and every one upon the place.” They were to construct a fort on the site and “a convenient house, and a church or a chapel.” A plat was then to be drawn and sent back to England so that Baltimore could envision the physical layout of his central administrative hub. Notional control of this particular space was clearly vital to the new proprietor. Subsequent instructions went further: all the planters were to “build their houses in as decent and uniforme a manner as their abilities and the place will afford, and neere adjoyning one to an other.” Streets were to be laid out “where they intend to place the towne and to oblige every man to buyld one by an other.” Baltimore’s initial vision, then, was for an orderly, compact civic space at the heart of his new colony, over which he quite literally had direct oversight through a hastily sketched-out plat quickly dispatched to his hand.3

He was certainly well within his rights to expect such control; it had been explicitly sanctioned in his charter. The royal license for Maryland allowed Baltimore “to erect and incorporate, Townes into Boroughes, and Boroughs into Cities, with convenient priviledges and immunities.”4 This provision meant that any urban places were to originate through the proprietor’s prerogative power to negotiate particular relationships with groups of colonists whom he felt merited such trust. English corporate charters had multiplied in Elizabethan

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3 Hall, Narratives, 17-18, 20-22.
4 Ibid., 108.
England on this same basis, and Harvey’s experience in contemporary Virginia had likely alerted the royal court to the problems of civic loyalty in new world colonies. Thus the point of this urban provision was not simply to allow Baltimore to manipulate the economy of his new province but to enable him to govern it effectively by creating urban administrative units whose privileges encouraged pursuit of the common good, loyalty to him, and, by extension, the crown of England.\textsuperscript{5} Incorporation rights were paired in the proprietary patent with the right to confer “favours, rewards, and honors” and “what titles and dignities soever, as he shall thinke fit” upon leading colonists. Ennoblement represented the other key means of securing loyalty within the English commonwealth. The whole edifice was designed so that “the way to honors and dignities, may not seeme to be altogether precluded and shut up, to men well borne, and such as...shall desire to deserve well of Us, and our Kingdoms.”

A combination of factors made the realisation of such a system unlikely. First, Maryland colonists were astute at borrowing survival techniques from their Virginia neighbours who were certainly not role models for the kind of compact and orderly settlement Baltimore had in mind. Second, the proprietor was constrained by the need to attract settlers and so he favoured large land grants. Inevitably, the wealthy manorial lords acquired land near the proposed urban centre, so although the town enjoyed some economic functions in its early years it could never acquire the diverse patchwork of landholdings in its hinterland that would support a large population capable of developing into an independent corporate structure. Finally, his request for a detailed plat of the initial fort settlement hints at the handicap Baltimore suffered by his physical absence from the colony; he could only

politely solicit a drawing of this first town. The contractual ritual that accompanied the 
granting of a borough charter or an honorific noble title in England could not be replicated 
without the personal presence of the proprietor. As the first few decades wore on, 
Baltimore found it increasingly difficult even to extract an impersonal oath of allegiance 
from colonists who came to register land patents with his colonial deputies at St. Mary’s. 

Faced with these difficulties, it is widely assumed that Baltimore abandoned any 
pretensions to urban development. Social historians have highlighted a broad trend toward 
smaller independent plantations effectively downplaying the efficacy of the proprietor’s 
interest in manipulating the settlement system. In this context Philip Calvert’s 1650’s dream 
of building “cities and villages” seems rather incongruous. In reality, though, there had been 
a strong connection between political topography and authority in Maryland’s turbulent early 
years. In a contrasted to the origins of county government in Virginia during Harvey’s 
troubled tenure, the Maryland county system emerged as Baltimore’s first attempt to retain 
control of his colony by re-organising its local government and re-invigorating the exchange 
of local authority for loyalty that had unwritten the philosophy of the Maryland charter. But 
the difficulty of making such an exchange work extended to the county units, and eventually 
led to the plan for a radical reorganisation into “cities and villages” during the Restoration.

As large landholders congregated around St. Mary’s and many invested in parcels of 
“town land,” the boundary between urban and manorial jurisdictions blurred for the tiny 
population of the first decade. Baltimore technically created St. Mary’s into a county, but 
since it embraced the whole settled area the effective instrument of local governance was to 
be the manor or the traditional English unit of “hundred.” Manorial lords formed the 
backbone of Baltimore’s early government, but they proved woefully divided on a slew of 

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6 On oaths, see Sutto, “Buit Upon Smoke,” chap. 5.
*Carr, Robert Cole’s World, chap. 1 (quotation, 9).
major issues affecting the colony and most died or left the colony within twenty years. As Maryland lurched from one crisis to another, it became evident that manors did not provide a viable governance structure for the infant society.8

Baltimore’s authority also faced more serious and direct threats. A Virginia planter, William Claiborne actively resisted proprietary power over his trading post on Kent Island in the Chesapeake Bay, which was within the Maryland patent but had been settled before Baltimore’s grant. Claiborne’s settlement, with its own internal hierarchy, threatened the proprietary ideal of organising and bestowing local authority directly from the charter to manorial lords. Although Baltimore won the legal battles with Claiborne for control of the island it was a far harder proposition to enforce his rights.9 Baltimore sent a string of men to command Kent Island and control it by force, but he tried to win over Claiborne’s settlers and integrate them into his governing structure. The 1639 provincial assembly passed a series of laws that acknowledged Lord Baltimore’s sole right to the land of Maryland, then moved on to establish a series of courts and officers for counties, manors, and hundreds. With this structure in place, they passed another act to integrate Kent Island, making it a hundred in St. Mary’s County; the hundred court on the island, however, could exercise expanded authority as needed at the instigation of the residents. These elaborate provisions soon became moot because within three years Kent had been created into Maryland’s second county. This was not an organic institutional development reflecting the needs of a growing population; the island still boasted only seventy taxable men and remained under the control of Giles Brent, who was styled “commander.” The county of Kent inaugurated a new kind


of local government framework for Maryland, driven by the need to integrate a troublesome community. Baltimore was attempting, in a piecemeal fashion, to find a place for the Kent settlers within his structural hierarchy of provincial governance.

This experience with Kent Island became a pattern for new counties established in the following decade. Baltimore was faced with the necessity of this shake up because of a brief and violent takeover of Maryland during 1645 by Richard Ingle, a ship captain who came from England claiming to represent Parliamentary interests and sparking religious conflict between the Catholic and Protestant populations of the province. Ingle made a mockery of proprietary control over the provincial heart at St. Mary's and is credited with destroying the manorial system and giving rise to an egalitarian age of small planters in Maryland. However, the details of Baltimore’s efforts to re-establish control after Ingle left the colony suggest a far more conscious and nuanced reshaping of the political topography.

In 1649 Baltimore returned the headright back to one-hundred-acres (it had been reduced to fifty acres a few years before), but it was not because he was concerned to create a “good poor man’s country.” It coincided with his successful efforts to lure to Maryland displaced Puritan colonists hounded out of Virginia. He hoped to establish them in a county structure akin to that introduced on Kent Island, because for all of Baltimore’s previous problems with Claiborne, the Islanders had remained comparatively loyal during Ingle’s depredations. The Puritans established themselves in a relatively compact community they called Providence on the Severn River during the late 1640s. In 1650 they were co-opted into the proprietor’s conceptual geography of the colony under the title of Anne Arundel County

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— named for the proprietor's wife. In the same year the council also christened Charles County, under the explicit command of Protestant immigrant Robert Brooke who brought a sizable contingent of settlers with him to the colony. There is a possibility that Brooke even attempted to anchor this new county in a town foundation at Battletown — named after his family home in Battle, Sussex.

The early histories of these new counties, however, reflect how closely Baltimore tied political topography to loyalty. By 1654 Baltimore's appointed governor, William Stone, had voided and nullified the creation of Charles County and reorganised the land as Calvert County, with different geographic boundaries. Brooke had become involved in the Parliamentary Commission that had ousted Sir William Berkeley from power in Virginia and was now claiming the right to rescind Baltimore's authority too. He—and his county—thus fell from proprietary favour. The abolition of Charles County and its replacement with Calvert was a key part of Baltimore's battle to retain control. The weakness of his position necessitated the constant redrawing of boundaries and the reorganisation of lines of trust and authority between proprietor and colonists in an effort to sure up loyalty and order.

But it was not just Baltimore who hoped to shape the formal structures of the colony's landscape. The puritan community in Anne Arundel County created their own political topography and were not to be dislodged as easily as Brooke. In the confused politics that ensued from the Parliamentary commission to govern in the Chesapeake, the puritans rejected Baltimore's proprietary rights, challenged his charter, and lambasted his Catholic religious ties, but the community also actively undermined the flow of Baltimore's

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11 Archives, 3: 257-58; Land, Colonial Maryland, 49-50, Hall, Narratives, 235. Al Luckenbach, Providence 1649: The History and Archaeology of Anne Arundel County, Maryland's First European Settlement (Annapolis, MD, 1995) passim.
13 Archives, 3:271-2, 308.
authority across the landscape. They rejected St. Mary’s as a site of power, renamed their own county to throw off proprietary patronage, and to reformulate the relationship between county and province in the colony. After their leaders received Parliament’s commission to govern the Chesapeake the puritan community moved to oust Baltimore’s appointed governor William Stone. Instead of bringing their complaints to St Mary’s, however, they gathered on the north side of the Patuxent River. According to their own account, they then “went over the River of Patuxent” to confront Stone, agreeing that “the next day they would meet and treat in the Woods.” Stone acknowledged his untenable position and resigned the governorship, but the whole interaction was played out in a physical space designed to emphasize that he, and by extension Baltimore, had already lost control – woodlands had long held connotations of being beyond the realms of civil jurisdiction. By deliberately ignoring settlement hierarchy of the colony – and emphasizing this in their written account of the events – they turned the Patuxent into a boundary between two distinct communities, and drew attention to the liminal spaces where Baltimore lacked control.14

After Stone’s surrender they recast the legitimacy of their own communities in print just as they undermined the proprietor’s dominion over the landscape. In the 1655 tract, *Virginia and Maryland: or, The Lord Baltimore’s printed case, uncased and answered*, the leaders of puritan faction rejected Baltimore’s appointment of all local officers, calling the system not only “ill Managed” but also “ill Founded.” They also appended petitions from the Puritan colonists designed to recast their political units as the “Inhabitants of the North-side of the Patuxent River” and “Inhabitants of Severne, alias Ann Arundel County” and portray these places as organic communities of “House-keepers and Freemen” who had “none to fly to,” and not as county communities organised under the aegis of Lord Baltimore. In fact, they

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14 Hall, *Narrative*, 226-228.
claimed, Baltimore had unjustly sought “to set over us the old form of Government
formerly exercised by him” and any moves he made to reassert his power through local
government were illegitimate impositions on their existing community. 15

With Stone deposed, the colony’s new leaders enforced their vision of the settlement
system. Firstly, they gathered the provincial assembly at a site on the Patuxent, neutering
Baltimore’s capital city. They even relocated the provincial land records – the ultimate
symbol of control over the landscape – to the site. They also removed the oath of allegiance
to Baltimore that had been requisite for new patents – denying the personal connection of
loyalty and land that the proprietor’s initial charter had outlined. Finally, they drove home
their point about who controlled Maryland’s political and social structure by mandating that
Anne Arundel County be renamed Providence, throwing off Baltimore’s eponymous mark
on the landscape in favour of their own personal definition of the community. 16

The final humiliation for Baltimore, though, still lay ahead. In the spring of 1655,
Stone rallied support and reasserted the proprietor’s authority. He recommissioned officers
in Baltimore’s name, and was also “giving out,” one opponent wrote, “that he would go to
Patuxent and seize the Records of the Province.” The fact that this was a crusade worth
publicising before it was achieved suggests that the land records had vital symbolic
connotations for the legitimacy of Stone’s authority. When he reached the new de facto
capital he removed the land records and immediately marched further north to face down
the settlement at Providence. But his luck had run out: he was embarrassingly defeated at the
Battle of the Severn. Stone was captured, and a number of his men were even executed for
treason. The defeat proved that the county system had failed. There were settlements in

16 Archivi, 1:339–356, esp. 345, 348. The actual site of the Puntan assembly was at the home of faction leader
Richard Preston, located on the Patuxent River south of St. Leonard’s Creek. Stein, History of Calvert County, 34.
Maryland, like Providence, that viewed themselves as self-defined communities, with their own names and identities, which Baltimore could not even bring to heel by force.

From the Puritans’ perspective, Stone’s assault proved Baltimore untrustworthiness. After the battle they commissioned Leonard Strong to pen a narrative of the events, relating their victory and emphasizing Stone’s depredations throughout the region. The account laid particular emphasis on the fact that Stone’s men had broken into almost every house they had encountered, “breaking open Doors, Trunks and Chests,” and seizing firearms and ammunition wherever they found it. Despite warnings from the Providence men that such actions would bring “the ruine and desolation of the whole Province,” Stone persisted, and men “fled into the Woods” leaving their wives and children exposed to Indian attack. Strong’s account worked hard to prove that, far from overseeing Maryland’s hierarchical settled landscape, the proprietor’s men were destroying whatever built environment and order did exist in the colony and driven the colonists back into the “woods” where Stone himself had paced about a few years earlier before his initial surrender.17

It took two years for Lord Baltimore to regain control over his province. However, by the time Augustine Herrman arrived in 1659, Philip Calvert, the recently arrived secretary for the newly restored regime, was officially able to entertain him. Troubles were not over, (new governor Josiah Fendall proved himself to be an unreliable ally the following year) but from where Calvert sat, across the table from Herrman, some semblance of order appeared to have returned; he could discuss plans with an eye to rectifying the root causes of the upheaval. It was in this context that he made clear his preference for “cities and villages.” Baltimore had been more than prepared to adjust and redefine the landownership and local government arrangements to create bonds of loyalty, but thus far he had failed to find the

17 Hall, Narrative, 239, 241-42.
correct formula. The religious balance in the colony and political turmoil in England stacked the odds against him, and early town development could not have averted these crises. However, the proprietor’s persistent failure to control the political and social topography of the colony thus far explained why Philip Calvert thought it both necessary and possible to build an urban hierarchy de novo in his brother’s province.18

Calvert was not alone in his assessment. Three years before, when Baltimore was still struggling to control his colony, a similar path to stability had been laid out by his ally John Hammond. In a tract entitled Leah and Rachel, or, the Two Fruitful Sisters Virginia and Maryland, Hammond contrasted a glowing account of the abundance of Virginia with a political narrative of struggles in Maryland. Rather than addressing the true state of Virginia, the first section actually sought to highlight the inherent natural potential of Baltimore’s province and the later part unsubtly heaped blame on Baltimore’s opponents for its retarded growth.19 Hammond suggested Virginia had been initially plagued by self-interested men who spent imprudently rather than investing in “any thing staple or firm” that might “make a Country for posterity.”20 In his account this path was corrected by “diverse honest and virtuous inhabitants” under whose guidance parishes were established, “famous buildings went forward, Orchards innumerable were planted and preserved; Tradesmen set on work and encouraged.” Although he critiqued London’s urban poverty, the Chesapeake alternative was still portrayed as settled and organised, with legal structures and permanent architecture. In this vision, the potential for a quick profit was combined with enduring investment in physical and social structures — the kinds of investment in the common good that typified

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18 Jordan, Foundations, 98.
19 Early in the text Hammond makes clear that he believes Virginia and Maryland to be “much of one nature,” and that “in speaking of [Virginial]” he “include[s] both.” Hall, Narratives, 284.
20 Hammond was responding to the negative portrayal of Virginia in William Bullock’s 1649 pamphlet Virginia Impartially Examined. Quote: Ibid., 286.
successful but responsible craftsmen and merchants of a civic corporation. This moral was encapsulated by the conclusion that Virgians had finally achieved "extraordinary good neighbourhood and loving conversation." This image of diversified planting and organised settlement was not a thoroughly honest portrayal of the circumstances in interregnum Virginia, but it represented the path Hammond, and probably Lord Baltimore, saw for Maryland’s development out of political chaos.\(^{31}\)

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The restoration of Charles II in 1660 finally secured Baltimore’s charter. The new king, however, was forced to confront a situation not totally dissimilar to his subject’s. Many of Charles’ advisors blamed the obstinate independence of the realm’s corporate boroughs for the revolution. Thomas Hobbes had written that boroughs were amongst the “infirmities” of a commonwealth because they were “many lesser Common-wealths in the bowels of a greater” and compared them to “worms in the entrails of a natural man.” Ostensibly this conclusion ran counter to Philip Calvert’s assessment of Maryland’s troubles, but in reality both diagnoses relied upon the same premise. Hobbes was not counselling the abolition of all towns and scattering Englishmen across the realm like Chesapeake colonists. Rather, he and many others in this period, advocated reorganising and constraining the overmighty corporations. Philip Calvert too was envisioning an urban system he could control. Just like Berkeley in Virginia, the Calverts drew inspiration for urban political change in the Restoration era. However, Charles’s early efforts to put this plan into action required the cooperation of at least a portion of the English urban population. The Calverts situation in Maryland was no different; as they tried to urbanise the colony, they relied on the conceptual concurrence of many colonists. They had to convince settlers that towns were going to

\(^{2}\) Ibid., 287, 296-7.
become a reality so they could garner the investment and urban residents necessary to make them so. Even more than in Virginia, this strategy allowed room for alternative urban visions, the seizure of urban identity, and a colony-wide debate over precisely what a town was, and the stakes in Maryland were only heightened by religious differences and lingering suspicions about the legitimacy of the proprietary regime.\(^{22}\)

The Calvert's first problem was that St. Mary’s City’s cultural and political credentials had been undermined by the Puritan regime. The assembly had been relocated, and evidence even suggests that the saintly prefix was temporarily stripped from its name. It is therefore unsurprising that the colonial capital was a priority in Restoration Maryland. But recentering the colonial landscape around St. Mary’s was not a straightforward process of planning and erecting a new set of structures. It required negotiation and considerable political will. The issue of the capital, and the network of other “villages” which Philip Calvert had hoped for, became enmeshed in a nexus of other political disputes.\(^{23}\) Late in 1661 Charles Calvert, the future 3\(^{rd}\) Lord Baltimore arrived as a new governor, and there was some speculation that a new direct representative of the proprietor might establish a new provincial capital to draw a line under the struggles of the previous decade. Members of the Lower House at Charles Calvert’s first assembly suggestively proposed that it was “necessary that some howse be built or purchased to keepe Courts in, or Assemblyes for the benefit of the Country,” but that they hoped the council might join them in “Considering of the place where, and the manner how such howse shall be built or purchased.” Interestingly, having recently emerged from a constitutional crisis in which the legitimacy of the council had been challenged, the


\(^{23}\) Sutto, “Built Upon Smoke,” 180.
lower chamber was prepared to solicit its input on any proposed capital move; it probably reflected disagreement amongst the delegates, but it may also suggest confidence that the new young governor would embrace a new capital city at a site more to their liking.

Whatever the Lower House’s rationale, the council took the matter seriously and conducted a straw poll of its members. Only two of the eight men declared unreservedly for St. Mary’s. Two others, Edward Lloyd and Baker Brooke, suggested a site “At Patuxent some where aboute Poynte Patience.” Lloyd, from the Providence settlement, had ties to the previous puritan regime, and Brooke was the son of the disgraced Robert Brooke and thus had strong links in the Patuxent region where his father’s county had been. The remaining four men, including Charles and Philip Calvert, were more circumspect. They were prepared to countenance a new site at Patuxent, but it had to be “upon his Lordship’s Mannor” there, and the construction would have to include not only a statehouse but also a new Governor’s residence. The Calverts were prepared to listen to arguments about the greater convenience and accessibility of Patuxent, provided that the link between proprietary authority and the provincial capital was not broken. The capital was not to be moved to a neutral site, leaving the proprietary family isolated and irrelevant at St. Mary’s. This conditional assent to a new capital was communicated to the lower chamber as the council’s considered opinion.24

Evidently, this was not the answer that the lower house was hoping for, because the next day they replied that “the place can not be readily agreed upon.” The private interests of the St. Mary’s County representatives probably pushed them to oppose the removal of the capital, which may explain the deadlock in the lower house. However, blocking a move to Patuxent would have required opposition from more than the St. Mary’s men, and it seems

likely that at least a few representatives keen to unseat St. Mary’s baulked at the conditions that the council proposed and instead opted for a cheap stopgap measure of remaining there at one of the desultory inns.²⁵ By the time the assembly’s temporary housing arrangement fell through a year later, the window of opportunity had passed. With the assembly prorogued, the provincial council entered into a new twenty-one-year deal with James Jolly to oversee a new statehouse at St. Mary’s and a large tract of land was set aside for extensive development. The council acted unilaterally on the issue of the capital again in the spring of 1664 when it was becoming clear that Jolly too was not fulfilling his responsibilities. Another enterprising colonist, William Smith, came forward to take on the repairs to what was now termed the “Country house.” Smith’s role was more carefully circumscribed. He was to ensure that a separate office was built for the clerk of the court and a separate building erected for the provincial records. Most importantly, Smith was to work to the governor’s schedule and “the whole Business” was to be “wholly left to the Leuit Gralls [Charles Calvert’s] discretion, eyther as to Repaying the howse, or otherwise, as to him shall seeme Convenien.”²⁶

Charles evidently took this responsibility seriously. Within six months legislation for an ornate new statehouse was pushed through the assembly. The act laid out an architectural description, including a hipped roof and a cupola, representing a dramatic stylistic departure for the region’s built environment, and it held Smith to a tight four-year schedule, with targets tied to instalments of his fee. The new statehouse was to be an impressive edifice, a mark of the leadership’s cosmopolitan taste, and an inscription of proprietary control over the urban hierarchy. Just like Berkeley at Jamestown, Calvert saw the need to underscore the way in which the colony’s newly revitalised centre unified the province under his leadership: the legislation’s title marked it as “the Cuntry's worke at S' Mary's.” Though it was the

proprietor's grand statement, it was vital, in a colony where not long before an opposition
group had refused to acknowledge the legitimacy of the existing capital and uprooted it, that
the new building appear to belong to the country in order for it to have the desired effect. 27

The "Cuntry's worck," though, was more than just a new statehouse. If the new
building was not to be an isolated folly, it would require a surrounding urban community to
reinforce the centrality of the proprietor's capital. The final provisions of the act were:

that if any pson or psns will upon the Land hereby graunted to the sd Smith build a
framed house twenty foot square and two storys and a half high wth a brick chimney.
It shall bee lawfull for any such psn or psns to build upon the Land aforesd And
shall haue three acres of Land... Layd out in such part of itt as the Governmt and
Councill shall think fitt.

In effect, this clause offered free urban land to anyone who would help legitimise the
provincial capital by developing an urban community. The obvious pragmatic concern was
for ordinary keepers to lodge visiting delegates, but previous deals with the likes of Jolly
suggest these entrepreneurs already existed, and the clause made no mention of incentives
specifically for innkeeping. Nor did the plan offer the trade restrictions or tax immunities
that would become common in later attempts to attract merchants to new towns. This
initiative was about generating an urban community to lend legitimacy to the proprietor's
capital. A relatively generous plot of free urban land was on offer, but only to colonists
wealthy enough to build what equated to a substantial home by seventeenth-century
Chesapeake standards, and also only to those prepared to be overseen by the governor. The
objective was clearly the concentration of the colony's wealth and power in St. Mary's under

27 Timothy Riordan offers an architectural analysis of the statehouse plan and hypothesizes that Philip Calvert
was the primary designer. The evidence from the council session of April 1664 is unclear on this point; it states
that the "Lieu Grais" use his discretion in the building process. While Philip Calvert was deputy governor he
was most frequently referred to by his other title of "Chancellor" and Charles Calvert was formally known as
Governor and Lieutenant General. The order was issued during a session at which Charles Calvert was present,
suggesting that he did take an interest in the project. See Riordan, "Philip Calvert," 341; Archives, 1:538-9; 3:492.
the direct patronage of the proprietor. Nevertheless, even with this enticing offer, few colonists could be lured to St. Mary's and, most importantly, by the spring of 1666 it became clear that Smith had not made the necessary progress on “the Great Stadt house.” However, because the statehouse plan was wrapped up with new proprietary vision of the colony’s political order, rather than simply tailing off into inaction, the issue of Smith’s failure became enmeshed in the confrontational politics of the assembly that met that April.

Overcrowded ordinaries and contentious disputes about the price of lodgings made it clear to the representatives who arrived in St. Mary’s that the plan had gone awry – no grand new statehouse greeted them. But when the assembly met, it also faced a packed agenda, headlined by renewed anxieties over the price of tobacco. Philip Calvert opened the session by urging a new plan for a tobacco cessation. The lower house dutifully discussed the plan, but voted that a cessation was unnecessary. The council response was to couple the tobacco issue with the problems at St. Mary’s. William Smith was sent before the lower house with a petition: he was admitting failure on the statehouse project and requesting to be released from the provisions of the act. However, his whole argument rested on the facts that “no workmen can be procured... they refusing to work for Tobacco” due to its depressed price and that the tobacco collected to meet his fees was delivered by county sheriffs so late in the year that he could not ship it profitably to England in the now glutted market. These were legitimate problems for Smith, but they were also highly combustible political fuel when the council was determined to impose a tobacco cessation. The lower house refused to be provoked. They claimed to see “no Cause for the repealing the former

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28 Ibid., 1:539.
29 Ever since Governor Berkeley proposed reducing the Chesapeake tobacco crop in 1662, various plans had been tabled in Maryland to halt cultivation at a certain point in the year (termed a “stint” in production) or to completely ban cultivation for a full year (a “cessation” in production) in order to raise the weed’s price. The first major plan negotiated between Virginia and Maryland, in 1663, had been stymied by Baltimore’s misgivings about a tobacco stint applied unilaterally in both colonies (because of their climatic differences).
30 Ibid., 2:11, 63, 66.
Act about the State house” despite the fact that the construction schedule that the act laid out was mocked by the still-empty field at St. Mary’s. They took no action on the issue of St. Mary’s despite the council asking that “both houses do think of some way to provide an House merely to hold Courts of Assemblys.”

Instead, before the end of that week the lower house members requested that the Governor conclude the session, having neither addressed the statehouse or the tobacco cessation, citing the failure of Baltimore’s chosen town to supply their needs. This enraged the upper house, which saw it as grave intrusion on the proprietor’s prerogative. The session’s debate over tobacco prices had become wrapped up in the rhetoric of “interest,” and the lower house’s refusal to pass the cessation legislation, combined with its request to prorogue the session, was seen as clear evidence that the private interests of some selfish planters in the lower chamber were imperilling the wider public good. However, it was difficult to claim that the cessation was really in the common interest when wealthy planters could far more easily weather the lean year that would result. (Lord Baltimore in London appreciated this point when, eventually, he overturned the legislation.) This was why the shotgun marriage between the issues of cessation and the statehouse, was so important — it had, after all, been termed the “Cuntry’s worck.” Getting Smith to say that low tobacco prices were sabotaging this grand design represented the council’s attempt to strengthen their case. A new statehouse and civic center — the very definition of public order and civitas — was being sacrificed because of the delegates’ failure to address tobacco prices. However, the status of St. Mary’s was not enough to leverage action from the lower house on the

31 Ibid., 2:27-29.
tobacco cessation. Assembly members remained indifferent to the status of the provincial capital – they did not feel compelled to bolster the Calverts’ city at cost to themselves.³³

It was becoming clear to Charles and his uncle that the lower house would not willingly embrace a new proprietary city as the symbolic heart of the provincial community. With enough angry speeches the council extracted tobacco cessation legislation and this satisfied them for the moment, but the events had convinced the Calverts that the dream of “cities and villages” could not be realised through the current assembly and would have to be an executive matter. It also reinforced their belief that the space would have to become a viable community capable of standing up to the assembly in order to gain legitimacy.

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In the next few years development at St. Mary’s increased, but it took a very different direction. The assembly were cut out of the urban development process resulting in fewer surviving records, but fortunately archaeology at the site of the town has helped to identify the contours of development. Amongst other things, they have shown that in 1667 work was begun on the grand brick chapel in St. Mary’s and that this work coincided with the development of a baroque plan for the settlement. The plan, as they envision it, consisted of four grand public structures, each built at the terminus of straight lines, equidistant from the point where all these lines meet at a square crossroads formed by ordinary town houses. Seen as a product the Calvert’s sophisticated European education, the baroque plan, archaeologists argue, underscored proprietary prestige and, through the polarisation of the chapel and the new statehouse, represented the Calverts’ distinct philosophy about the separation of church and state. It certainly confirms that they harboured urban visions for

their colony that were far more ambitious than they had been able to negotiate with the assembly.\textsuperscript{34}

There are reasons to be cautious about this grand design at St. Mary’s. Firstly, viewing the town plan as a baroque exercise writ-large risks ignoring the very real political and economic connotations of urbanisation, and reducing the Calverts to head-in-the-sand idealists, unaware of their delicate grasp on authority. If the design was developed in 1667, then it came at a moment when baroque city planning was invigorated in the Anglo-Atlantic world by the response to the fire of London but it also followed close on the heels of the frustrating experience of the 1666 assembly closer to home. Secondly, because the public structures that anchored the plan only appeared over the following decade the idea of a single baroque plan risks condensing this turbulent period in Maryland’s history and suggesting that the Calvert’s were unresponsive to their constitutional and political troubles.

Planning certainly took place at St. Mary’s during these years but its purpose was not merely about imprinting philosophical meaning on a landscape designed as a provincial administrative space – akin to early Washington DC. For one thing, the apparent layout curiously highlighted the provincial prison but did not draw attention a governor’s residence (which had been a key part of the initial negotiations over moving the capital in the early 1660s). If the Calverts were looking for inspiration from the baroque replanning of London after the Great Fire then they surely noted that although the western outskirts got a new grand makeover, the heart of the city was being rebuilt along its old medieval street plan. The king was forced to acknowledge the men and women who quickly rebuilt their houses on the old streets and alleyways. No one, even at the height of baroque planning enthusiasm, could ignore this distinction between the urbs – the built environment of the city – and the

civis – the men and women whose social and economic interactions actually made the town a unique space. When Philip Calvert spoke of “cities and villages” he spoke of the human interactions of urbanisation – the civis – and thus when planning out redevelopment at St. Mary’s he and his nephew were well aware of this balance. In this sense, interpretations of the baroque plan as a step toward abstract modern individualism, in which people were divorced from community and forced to confront the proprietor’s government philosophy as isolated viewers overwhelmed by its scale, could not be further from the truth. Such an ideal flew in the face of Hammond’s vaunted “good neighbourhood” in the Chesapeake.

The 1664 act, with its free distribution of land, had demonstrated the Calverts’ belief that legitimising St. Mary’s would require an actual community within the planned spaces. The setback of 1666 had reinforced this idea. Planning St. Mary’s, then, was a difficult two-step: strengthening the position of the proprietary seat at St. Mary’s atop Philip Calvert’s network of “cities and villages,” but doing so by emphasizing the town’s civic community.

Instead of reading the development of the brick chapel and statehouse as structures balanced against each other through their equidistance from the town centre, it is better to stand at the crossroads and view these buildings as they slowly emerged over a decade. As individual structures they were purposefully located, but they primarily interacted with the civic heart of the town – a square or marketplace reminiscent of the space that had been so sacred at Jamestown from the earliest years of settlement and which had been redesigned in many flourishing English corporations during the previous century. It was the viewers in the town centre, the new urban residents, who were intended to perceive their relationships to the commonwealth and the church. Representing relationships between proprietor and

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35 For London’s rebuilding, see Cynthia Wall, The Literary and Cultural Spaces of Restoration London (Cambridge, 1998), chap.2. For the individualism of the St. Mary’s plan, see the explicit statement that “There is no crowd here” in Leone, “Seeing,” 36-37.
people, church and state, would mean little if the St. Mary's community at the heart of the new city could not develop within the settlement hierarchy Philip Calvert had envisioned.

We know that these political conundrums of civic development were on the minds of Philip and Charles Calvert because they have actually left us more than an archaeological record of their intentions. In 1668, Charles Calvert issued a corporate charter to the city. Rather than opening up the urban space as a baroque allegory, the charter closed it off by creating an independent corporate structure and a distinct community subject to alternative constitutional arrangements. Scholars have dismissed the incorporation as a political ploy to create a rotten borough electing proprietary loyalists to the assembly. But there were more straightforward ways to influence one assembly vote than establishing a whole new political institution. Of course we cannot disassociate the St. Mary's charter from the provincial politics of the era, but rather than seeing it as a pragmatic trick on Charles Calvert's part, we need to take it seriously as a constitutional innovation within the context of contemporary English corporations and their role within the state. 36

Though the first charter of St. Mary's was a new departure for the colony, it closely resembled English borough charters. Its provisions contained four of the five fundamental features of English urban charters. 37 It made the people of St. Mary's and "ye Circuits & prents and priviledged places of ye sd Citry" up to one square mile (a clear allusion to the City of London) into "an Incorporated Citry" led by a mayor, a recorder, six aldermen, and ten common councillors - each appointed for life; these men were to be "a body incorporate & one Comunity for evr in right & name." The charter named the senior officers, including

37 The charter was issued on November 3, 1668. The key provisions were: the right to perpetual succession, the right to be sued as a body corporate, the right to a common seal (all Arbino, 51:567), and the right to issue by-laws (Arbino, 51:568). For features of English boroughs, see Tittler, The Reformation and the Towns, 162. The only right Tittler specifies that was missing was the ability to hold lands in mortmain, and this omission reflected the troubles Baltimore had endured over mortmain in the early years of the settlement - see Riordan, Plundering Time, 68-80.
Philip Calvert as mayor, and charged them with selecting the councillors. They had sole jurisdiction for the square mile of the city and power to appoint constables, make by-laws, and hold markets and fairs.

There were no egalitarian features to the charter, such as the popular election of common councilmen, but this did not make it a cynical power grab. Just like any corporate borough charter, it was styled as a grant of rights and privileges, and it was given to “our beloved Inhabitants within ye Citty,” establishing another personal connection between the proprietor and a portion of his population. Provisions for markets and fairs, by-laws specifically mandated to control trade, and references to the “public benefit of the said Citty” suggest the aim of encouraging a commercial and civic community at St. Mary’s, cultivating humanistic civic virtues that were the bedrock of English corporate identity, and loyalty to the proprietor predicated upon civility, order, and the public good.38

Seventeenth-century English boroughs had a variety of corporate power structures ranging from oligarchic to democratic. St. Mary’s City’s charter was firmly on the oligarchic end of this scale, reflecting the Calvert’s desire to retain control of the new corporation. This tendency of the St. Mary’s charter, however, mirrored an English trend favouring the oligarchic model of incorporation. Some scholars locate the roots of this shift in English boroughs to the Reformation and the opportunity it offered for urban elites to acquire property and status. But the push to oligarchy accelerated during these same Restoration years in which the Calverts were incorporating their town through Charles II’s rechartering efforts. In England, new restrictive corporate entities became “extensions of crown government” that were “created by the monarch to maintain the public welfare and the

King's peace.’”10 The selection of senior provincial officials, such as Philip Calvert, as corporation officers for St. Mary's City reflected the fact that they could be trusted to build the kind of proactive loyal community expected of an incorporated borough in this new era.

Thus the charter undermines the idea of St. Mary's as a grandiose baroque folly. It was a calculated plan to create a loyal corporate centre, so that delegates staying in St. Mary's, instead of cramming into run-down ordinaries and thinking about relocating the capital, would be guests of a vibrant autonomous political community that was both loyal to the proprietor and the natural choice for the capital. The following year, 1669, Lord Baltimore's writ for assembly elections was adjusted to reflect this point — previous calls to gather simply at “St. Mary’s” had mutated to “our City of St Mary’s.”16 However, the creation of an incorporated borough within the province was intended to do more than overawe the assembly; it threatened their position as sole representatives of the body politic. In this way, the charter fit neatly within the framework of a larger constitutional during these years between the Calverts and the lower house over the extent of proprietary powers. The root of the dispute lay in whether the assembly was merely a consultative body permitted to exist by Lord Baltimore, or whether it had established procedures that the proprietor could not trample on. This general disagreement was led to disputes over Baltimore’s right to review and overturn legislation, his appointment of provincial officers, and his prerogative to alter the composition of the assembly by calling fewer delegates from each county.41 But the incorporation of St. Mary's was an important part of this constitutional debate. It was not simply a way to pack the assembly to win a few skirmishes; it was an extension of the

41 Archives, 2155.
41 Jordan, Foundations, Chp. 4; Sutto, “Built Upon Smoke,” Chp. 11.
Calverts's plan to adjust the political structure of the colony more generally. It represented an attempt to undermine the assembly’s position in the constitutional struggle by creating legitimate alternative political constituencies. The initial incorporation of St. Mary’s City, followed by two tense assembly sessions and then a second corporate charter, demonstrates the gradual heightening of tensions associated with this reinvigorated proprietary plan.

The city of St. Mary’s had only existed as a formal legal entity for a few months when the Maryland assembly of 1669 gathered and immediately the geography of power in the town was contested. Two of the new city officers, John Morecroft and Thomas Notley, were representing the county of St. Mary’s, but on the first day of deliberations they came to the council with a complaint: that morning they had attended “the meeting of the lower house of Assembly in the usual place of meeting appointed by the Governor,” but found the location empty and “were from thence warned to attend the lower house in an other place not appointed by the Governor which they had refused to doe.” The lower house had voted with their feet and moved to “a howse neere adjoyning to the howse of Assembly.” But the council found the move totally unacceptable and made clear that they “could not owne them to be the lower howse of Assembly without they were sitting in their usual place which was appointed by the Governor.” The lower house played along with these proprietary pretensions but they had made their point – they petitioned requesting the move and Charles Calvert granted permission. While they were attending the governor they also initiating further constitutional confrontation by asking to consult a copy of Baltimore’s patent in order to formulate complaints. This first showdown highlighted questions of the proprietor’s prerogative over the assembly and his personal control over the built environment of the newly founded city of St. Mary’s.42

John Morecroft remained at the heart of the assembly’s business. Just two days after he had refused to sit with the assembly in its illegitimate home, he was again “walking abroad” in the city. When the council demanded an explanation, he informed them that he had been “suspended by reason of an Impeachment.” Morecroft had been accused of misdemeanours in his dealings as an attorney, but in a countersuit brought in Maryland he had also accused his opponent, ship-captain Robert Morris, of defaming his character before the proprietor in London. Morris convinced the assembly to impeach Morecroft, in part because he was “striving to make good that the Jurisdiction of this Province extends to Wild Street in Westminster terming it to [be in] the City of St. Marys in St. Mary’s County to the great dishonour of our Sovereign Lord the King.” Essentially, Morris was arguing that statements made to Lord Baltimore in London could not be tried in the colony. In the context of the recent charter it is significant that the case focused upon the city’s jurisdiction and involved Morecroft as the newly appointed recorder (senior lawyer) of the corporation; it contested the extension of the fictive bounds of the city, not the colony more generally, and it betrayed an uneasiness about the relationship between the proprietor and the new corporate entity. Ultimately, the council settled the issue by backing Morecroft and explaining that Morris should appeal to the court if he felt the proceeding’s legality was in question. Nonetheless, the question of assembly rights and proprietary prerogatives was now closely tied to developments at St. Mary’s City.43

With the Morecroft issue settled, the lower house then produced a set of “publick Grievances.” Their primary frustration lay with the veto that Baltimore retained over laws, but the remainder of the grievances largely focused upon what the lower house saw as proprietary efforts to bypass their jurisdiction through the appointment of local officers and

agents; these complaints included anger at new regulations requiring attorneys to hold provincial licenses, annoyance at seizures of tobacco by sheriffs, frustration that “Officers are Erected which do take Fees exceeding & contrary to the Acts of Assembly,” and finally suspicion that the colony contained “vexatious Informers.” None of these concerns explicitly referenced to the city charter – probably because Baltimore’s patent right was indisputable on this point – but it was a clear subtext. Firstly, the anger at restrictions on attorneys reflected a fear that Baltimore was narrowing the legal profession to a small group of loyal men, something that had also motivated the lower house’s harassment of Morecroft, as the new recorder. The complaint about new officers may also have related to the creation of a mayor, recorder, and aldermen at St. Mary’s – few other offices had been created recently. Finally, the vague reference to “vexatious informers” was likely at least reinforced by Morecroft’s tattling over the location of the assembly meetings and another of the city aldermen reporting to the council about a sedulous sermon that had opened the assembly session. The lower house was convinced that corporation officers, with their inflated status in the capital, would be a frustrating coterie of Baltimore loyalists too well informed about the activities of the city for their liking. In sum, their grievances exhibited an underlying fear that Baltimore was using officers, sheriffs, and attorneys to establish a rival administration not under their control. As the upper house’s response to the complaints would confirm, the corporation of St. Mary’s City represented precisely such a rival jurisdiction. 

Unsurprisingly, the Governor and his allies did not react kindly to the protestations. Members of the lower house, they claimed, were “styling... his Lordships royal Jurisdictions granted him by his Pattent a Grievance,” which they considered “mutinous & seditious.”

44 They were concerned about the veto because Lord Baltimore had recently overturned a number of laws, including one that sought to streamline the process of land transactions in the colony and secure title to land. 45 Archives, 2: 168-9. 46 Papenfuse, Biographical Dictionary, 603; Archives, 2: 159, 176, 51.567.
Their demand that the complaints be razed from the record met with flat refusal, and so they called a conference of both houses to settle the issue. At this meeting they attempted to restate the fundamental constitutional structure of the colony, as they understood it. Philip Calvert told the lower chamber that “they are not to Conceive that their privileges run parallel to the Commons in the Parliament of England, for that they have no power to meet but by Virtue of my Lords Charter, so that if they in any way infringe that they destroy themselves; for if no Charter there is no Assembly, No Assembly no Privileges.” A better model would be “the common Council of the City of London which if they act Contrary or to the overthrow of the Charter of the City run into Sedition & the Person Questionable.” It was no coincidence that this comparison was made just a few months after the founding of the colony’s first urban corporation.⁴

Calvert’s argument was primarily an attempt to negate comparisons between the Maryland assembly and the English Parliament, but invoking the corporation of London as an alternative created a tricky constitutional knot. It was certainly well established that English boroughs such as London could forfeit their charters, and thus their self-governing privileges, through acts of disloyalty to the crown who had issued them – the use of the writ of Quo Warranto against English boroughs to retract their independence became increasingly common during Charles II’s reign. Parliament’s status, by contrast, rested upon a broad network of other constitutional structures that could not so easily be withdrawn. The Maryland assembly was simply an outgrowth of Baltimore’s charter supulation that he seek popular assent for his governance, and so in that sense Philip Calvert was right to assert that had only one legal root – Baltimore’s royal charter – that it could forfeit and thereby collapse itself. He was right to assert that the Maryland assembly had been created by the charter, not

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⁴ Ibid., 2:173-9, quotes: 174, 176, 178
through an accretion of direct relationships with the sovereign, but the obvious problem was that if the assembly could violate the charter and render it void, it would thereby destroy the whole basis for Lord Baltimore's authority in the process. Essentially, if Baltimore was just the "mayor" to the assembly's "common council," their mutiny would drag him down too. Talk of bringing Maryland under direct royal control was common in Whitehall and the colony, so laying out a simple constitutional method by which the lower house could undermine the whole basis of the proprietor's charter would have been a bold move.\(^{48}\)

The context of the recent incorporation of St. Mary's City, however, makes clear that this was not the point that the council were making. Instead they were dividing Baltimore's charter into two distinct relationships – between the King and the proprietor, and between the proprietor and the colonists. The King delegated certain powers to Baltimore and laid out the various means of dispensing that authority – including the creation of manors and corporations. The charter specified that Baltimore govern with the "assent and approbation of the Free-men of the said province," but only "in such sort and forme, as to him... shall seeme best." According to this interpretation, the freemen could signify their assent in a variety of ways, just as the nobles, gentry, and urban citizens differed in their relationships to the monarch.\(^{19}\) The men who had recently been appointed to the corporation of St. Mary's had taken separate, and specific, oaths of fidelity to the proprietor and had thus entered into an alternative political relationship. So when the assembly questioned Baltimore's charter, they could not bring down the whole edifice of political relationships extending from the crown to the colonists, but they could invalidate the section of the charter through which their particular privilege of self-government was defined. While the assembly was the only formal political institution, this threat was benign because there were no viable alternative

\(^{48}\) For an explanation of *quem warranto* see: Halliday, *Dismembering*, 26-7.

\(^{19}\) Hall, *Narratives*, 104.
sources for the “approbation of the Free-men,” no networks of “cities and villages.” But now, in the council’s terminology, Maryland had two common councils – the assembly and the corporation of St. Mary’s – each with a distinct relationship to Baltimore, but the later was proving itself far more respectful of proprietary rights than the former.

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At face value the comparison between the lower house of assembly and the St. Mary’s City corporation may appear incongruous, since its charter governed a single thinly settled square mile of land. As a rival jurisdiction over the colony’s capital, it was held disproportionate significance, but by itself it did not threaten a wholesale remodelling of the colony’s political topography. But it was not alone. In June 1668, five months before the charter was issued to St. Mary’s, the governor had proclaimed a network of eleven port towns across the colony (see fig. 7). This was quickly followed by two further plans for port establishment, in 1669 and 1671, which adjusted the locations slightly. The key incentive for urban growth in these locations was to be, in the same vein as Virginia legislation, the restriction of all imports to the appointed locations. The second plan, in 1669, also sought to restrict exports to the named towns, but this was abandoned by 1671. These proclamations were the first efforts at widespread town founding in Maryland.

The port plan and the St. Mary’s City charter have been treated separately by scholars because study of the capital has focused on the proprietor’s baroque pretension while the other ports are normally seen as merely an economic project. Calvert’s 1668 proclamation was certainly described as a plan for “the appointing of certeyne places for the unladeing &

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50 Charles and Philip Calvert may have been planning other towns almost as soon as they re-established their authority, but it was only in 1668 that a comprehensive plan began to take shape, see: Archile, 5:464.
51 For the text of the three proclamations, see ibid., 5: 31-2, 47-8, 92-4. For a survey of the legislation and the locations founded, see John Reps, Tidewater Towns: City Planning in Colonial Virginia and Maryland, (Williamsburg, Va., 1972) 92-4; Donald Shomette, Last Towns, 299-314.
selling of all goods and merchandizes,” and the second proclamation explicitly explained that the plan was “necessary for the good of Trade.” There is no doubt that Baltimore was concerned about the economy, but his primary focus lay in maintaining control over its output and the colonial revenue, and not in diversification. Securing mercantile revenue was especially pertinent to Baltimore during the constitutional disputes of these years too, because many colonists were evading his collectors and even contesting his right to tax them. His economic control of the province was also under threat from two directions. He was being forced to respond to Berkeley’s aggressive economic plans in Virginia, news of which was trickling back to England. He also had to deal with the new mercantile zeal in Whitehall. It was becoming common for those attempting to annul Baltimore’s charter to accuse him of lax enforcement of the Navigation Acts and consequent damage to the royal revenue. Significantly, just a few months after the initial proclamation of 1668, Baltimore received fresh warnings from Whitehall about the proper enforcement of the Navigation Acts. It seems likely that the establishment of ports was partly intended to help him fulfill (or at least appear to fulfill) these requirements.

A closer look at the June 1668 proclamation, reveals that these mercantile concerns were also tied to Baltimore’s goal of reorganising the political topography of the colony. Although the sites were termed “Sea Ports” and “Harbours,” they were also to be granted “such rights Jurisdiccons libtys & privildges vnto the said Ports belonging as some shall

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53 Berkeley’s campaign in favour of town building was probably known to Baltimore by the mid-1660s. Maryland councillors met with Virginia delegations several times during the 1660s regarding tobacco regulations, and Berkeley’s men likely also outline the developments at Jamestown. Philip Calvert’s reference to “cities and villages” came in the context of disparaging comments about Virginia, so the Maryland proprietory party was probably anxious not to fall behind the Old Dominion in this arena. Charles Calvert’s June 1668 proclamation implies that Baltimore must have written to suggest the plan no later than the end of 1667, and it was in the closing months of that year that Whitehall called on Baltimore to justify his veto of tobacco cessation plans. It is entirely possible that Baltimore suggested the port plan at this point to counter the image of him as an economic Luddite that Berkeley was cultivating in official correspondence. Archaeo, 5: 5-9, 15-9.
44 Archaeo, 5: 45-7.
seem most expedient.” The very imprecision of this grant of liberties and privileges implied that the places were expected to develop outside the current structures of local governance. The promise of distinct privileges prefigured the St. Mary’s City charter granted later that year, and reflected the same vision of a distinct civic community; these groups of men, tied to Baltimore through specific charter relationships, would have the power to make bye-laws to control trade and oversee the collection of proprietary revenue from recalcitrant county leaders. The port proclamations therefore demonstrated the political allies and loyal mercantile power base that Baltimore might secure by replicating the St. Mary’s City charter as a constitutional innovation across the colony.55 The stakes involved were confirmed by the anxiety with which the Calverts reserved complete control of the town founding process for themselves. The second proclamation, issued, not coincidentally, on the same day in April 1669 that the lower house brought their list of grievances, firmly stated that only the sites listed, and “none other unless by the particular appointment of his Lordship,” could claim urban privileges. This statement of absolute proprietary dominion over the colony’s political and economic topography doubtless spurred the lower house on as they presented their complaints about the multiplication of proprietary officers in their local communities. The final version of the plan in 1671 was even more explicit – it noted that the ports were to be “erected and Constituted according to the Power and Authority to him the said Lord Proprietary by Letters Patent of his Royal Majesty King Charles the first of England.” There was to be no misapprehension – the power to appoint ports and grant them liberties, and thus to reshape the political topography of the colony, lay with the proprietor.56

55 Ibid., 5:31, 47. It is worth noting that this first Maryland plan differed considerably from Virginia’s 1663 act town act, which had laid out complex details for constructing houses but had not made reference to any form of jurisdiction at all, see H5, 2: 172-76. 56. Archives, 5: 47, 92.
The port proclamations were the vital second part of the Calverts’ urban plans. The development of a dozen ports across the colony, each with ill-defined privileges that lay within Baltimore’s gift, combined with the definitive new jurisdiction granted to the “Mayor, Recorder, Aldermen & Comon Councell of the City of St. Maryes,” represented an attempt to fully realise the political potential of a system of “cities and villages” for controlling the colony politically and economically. Between the lower house’s list of grievances and the council’s threatening comparison between assembly and London’s common council, it was clear that this challenge had not go unnoticed during the heated 1669 session.

If the assembly delegates were unhappy with the balance of power across the colony when the 1669 session ended, things were only to get worse. A year later, following a brief sojourn in England, Charles Calvert returned to the colony and announced further restrictions on the county franchise – excluding colonists with less than fifty acres of land – further seeking to reshape representation in the colony’s government. Whether any of this could become a viable bulwark against assembly power was questionable; Berkeley’s plans for an urban Virginia were already faltering, and large-scale town growth would clearly require economic changes. However, the Calverts were talking freely about establishing new jurisdictions, and an alternate political topography, in order to finally establish a firm control over their colony, and it was on this basis that Maryland’s county elites began to fight back.

County administrations, which had first flexed their muscles during the turbulent 1650s, were not powerless up to this point, but the events of 1669 appear to have inspired the next two assemblies, which both gathered in 1671, to demand new administrative and legal powers. It was clear from the very beginning of the spring 1671 assembly that the lower

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57 *Archives, 5: 77-8. For further discussion of this restriction in the franchise, see: Jordan, *Foundations*, 82-4.*
house suspected the governor of manipulating local government in order to influence the assembly. They immediately challenged the fact that Kent, Dorchester, and Somerset Counties only had two delegates each (instead of the usual four) and wrote to the council that “of Right the whole Number of Delegates and Deputys so Chosen ought to have been summoned.” Charles Calvert had an immediate answer – he explained that these counties, having only recently been divided, had requested the reduction to reduce costs. Though the lower house was forced to accept this answer, the dispute foreshadowed the more serious fights that would engulf Maryland when Charles attempted to permanently reduce all county delegations to two representatives in the late 1670s. It also demonstrated that the new assembly was intent upon defending the colony’s county structure and resisting proprietary attempts to manipulate it by reducing or sidestepping county representation.58

Members of the lower house spent the spring and autumn sessions bolstering the authority and influence of the county structure. Amongst the administrative functions of local courts highlighted by Lois Carr’s monumental study of colonial Maryland’s county governance, a remarkable number were established or reinforced by the 1671 assemblies. Counties gained crucial control over not only taxation and levies but also land conveyances, weights and measures, road construction and maintenance, and orphans’ estates. Obviously this legislation required the council’s assent. This was probably granted out of pragmatic

58. *Archives*, 2: 240 1. Because the county structure ultimately prevailed in Maryland its records (partially) survive and have allowed scholars to recount the gradual accretion of administrative and legal responsibilities at the county level. This devolution of power has appeared rather incongruous when placed alongside the narrative of provincial-level constitutional struggle between Baltimore and his assembly. Scholars who have acknowledged this dissonance have seen it as resolved by the 1689 revolt when now-experienced and competent county elites overthrew the proprietor because he limited their opportunities to rise into the provincial leadership despite the significant de facto power they exercised on the local level out of sheer necessity and convenience. My account here is intended not to take away from the vital importance of this very real county-level process but to question, first, whether such a process was inevitable, and second, whether, when embroiled in constitutional battles with the assembly, the council was really foolish enough to unthinkingly increased their control over local affairs. The definitive study of county government in Maryland is Lois Green Carr, *County Government in Maryland, 1689-1709*, 2 vols. (New York, 1987) – especially Chp.5. Carr and David Jordan developed the thesis about county government and the revolution of 1689 in their study, Carr and Jordan, *Maryland’s Revolution.*
necessity in many cases, but it also represented a quid pro quo to win other key battles - the council was able to extract a much-desired perpetual revenue from their lower chamber colleagues in exchange for these concessions, thus partially reducing the necessity of independent port towns for mercantile oversight. The council’s assent to additional county powers also serves as a reminder that the Calverts’ interest in corporations did not represent a complete rejection of the county system. As the expression “cities and villages” suggests, they sought a patchwork of jurisdictions they could play off against each other. Nonetheless, the impetus for greater county control was definitely coming from the lower house.\textsuperscript{39}

Fault lines remained visible throughout these sessions, most obviously when the council formulated a plan to found a college, which provoked considerable misgivings in the lower house. Unsurprisingly, given religious tensions in the colony, the delegates wanted assurances that children would be educated by separate Catholic and Protestant tutors, but they were also deeply concerned that “the place where the said College shall be Erected shall be appointed by the Assembly most convenient for the Country,” and that they know “what Privileges and Immunitys shall be Enjoyed by the Schollars that shall be brought up or taught at such School or College;” they were once again seeing shades of the governor’s efforts to establish alternate independent corporate communities in different parts of the colony, and perhaps suspected him of wanting to use a school to further bolster his influence over St. Mary’s City. Faced with these pointed questions, the council dropped their plans for a school. The push to empower counties in 1671, when placed alongside disputes such as these, cast the developing structure of local government not as the product of slow institutional maturity but as the negotiated outcome of tense battles between the Calverts

\textsuperscript{39}Ibid., 2: 255,257-8, 260-1, 265. The importance of the 1671 sessions to the administrative functions of county government is suggested by their repeated invocation in Carr, \textit{County Government}, 321, 333, 359, 365, 423-4, 433. For the importance of the 1671 proprietary revenue provisions, see Jordan, \textit{Foundations}, 110-111.
and their subjects over the distribution of power. At one extreme the lower house was devolving as much power as possible into the county system that appeared best able to limit Baltimore’s control, whilst at the other extreme the council were working to establish towns, ports, corporations, and schools, all directly tied to the proprietor through special privileges, in order to create multiple jurisdictions with vested interests in loyalty.60

It was in this climate of confrontation that St. Mary’s City received its second charter in the autumn of 1671. Ostensibly the new charter was issued because “the said Patent is sithence become voyd... by Reason of the nonusier Thereof by the then Inhabitants,” but the true motives are rather complex. The new charter’s differences from the previous version, though slight, were very significant: it reduced the number of common councilmen from ten to seven, went into more detail on the oaths of allegiance required of city officers, and emphasized that the city be “Heretafter called and named by the name of Saint Maries and by noe other name,” hinting perhaps at continued resistance to the proprietor’s geographical labels and their Catholic associations. Most importantly, it gave the “free citizens” of the city the right to elect two representatives to the provincial assembly.61

Enfranchisement of the corporation was a drastic—and enigmatic—move. Because the men elected would almost inevitably be city officers, and all the officers were appointed proprietary allies, this action has often been interpreted as a quick political expedient to pack the assembly.62 The successful candidates, selected by what was probably a very small electorate, were two of the corporation’s senior figures, the previously provocative Thomas Notley and John Morecroft. Almost a year later Charles Calvert wrote to his father that Morecroft and Notley were “Chossen Burgesses for the City of St. Maries, And by that

60 Archives, 2: 262-4.
61 For the 1671 charter, see: Ibid., 51: 383-90.
Means I gott them into the assembly," and he went on to say that he "durst not putt it to an Election in the Countyes Butt tooke this way which I Knew would Certainly doe what I desired." This seems to be a damning acknowledgement of cynical manipulation on the governor's part. However, the statement is cryptic for a few reasons. Firstly, Morecroft and Notlev had both been elected by St Marv's County in the past and had failed to win election to the spring 1671 session, so the time for manipulating the assembly's composition would ideally have been before the first session of that year. Aside from the continued battle over control of the militia, there is little evidence that Charles anticipated or provoked any major controversy in the autumn session. Secondly, it is not certain precisely what Charles meant when he said he could have "putt it to an Election in the Countyes" because it would have made little sense to call province wide elections for the second time in a year simply to attempt to alter the delegation from one county. Thirdly, it should have come as no surprise to Baltimore that the city of St Marv's was now electing delegates, because the franchise was not a result of an odd gubernatorial proclamation but drawn from a new charter issued in the proprietor's own name.

The mystery deepens further because the letter implies that Charles had substituted Morecroft in preference to "Doctor Wharton" who was "an understanding man vett Dr Morecroft is much more our purpose." It appears, then, that Baltimore had written suggesting that Wharton and Notlev be returned to the assembly, to serve a larger purpose, and that the plan had not originated with his son in Maryland. Charles was simply explaining why he had substituted Morecroft and why he had not called fresh elections across the

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3 Governor Charles Calvert to Cecilius Lord Baltimore 26th April 1672," in Calvert Papers, Number One, Maryland Historical Society Fund Publication No. 28 (Baltimore, 1889) 252-275, esp. 264-65
4 Ultimately the session was cut short by news of the death of the governor's sister, but during the truncated session there was no mention remote akin to that of 1669 - Archives, 2 311 321, Jordan, Foundations, 111
5 Elsewhere in the letter Calvert explained that he had no intention of calling another election in the foreseeable future - Calvert Papers, 261
colony when he added the new corporate delegates. All of these factors complicate the
cynical political manipulation typically perceived in Charles’s statement. The Calvert family
evidently intended this enfranchisement to influence the assembly, but it was not a knee-jerk
expedient dreamed up by Charles Calvert alone as much as an extension of the plan that
both father and son were developing to foster new channels of political authority.

The enfranchisement fit neatly within the trend of English corporate parliamentary
boroughs that were coming increasingly under the control of local gentry oligarchs and royal
officials in this period, and were being used by the monarch to shape parliamentary
composition. That there was a considered political rationale behind the decision can be
seen from two letters appended to the new charter, informing residents of the forthcoming
assembly and requesting them to elect delegates so that “want of Sufficient Power or
Inconsiderate Elleccon” across the province might not hinder the proprietor’s designs.
“Now Know Yee,” the corporation’s officers were told, “that wee Reposeing Great Trust
and Confidence in Your ffidelitie & Prudence Circumspeccons have assigned you and by
Vertue of these presents doe Give unto you ffull Power and Authority.” The Calverts
portrayed these men as the “better sort” who could be entrusted with authority to act in the
tradition of civitas for the good of their miniature commonwealth. The commission issued to
the new-minted assembly members from the city was also rich with the English language of
“civic aristocracy.” The men were to serve in the assembly in order “to Doe & consent to
those things which then by the favour of God Shall there Happen to bee Ordained by us.”
Civic order and loyalty was further demonstrated in the precise theatricality of the new oath-
taking ceremony for corporate officers added to this second charter: Alderman William
Calvert was to administer the oath to Philip Calvert, who was designated mayor, and when

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66 In fact, St. Mary’s City’s franchise to “free citizens” was much broader than in many contemporary English
boroughs where only corporation officers cast a vote. Withington, Politics of Commonwealth, 40.
Philip had returned the favour they were to “call and cause to come before you the other Persons in the sd Lettrs Patents named,” in order for them to do likewise. The hierarchical nature of the ceremony underscored the orderly community that was envisioned. Regardless of the precise motives for the enfranchisement of the city, by contemporary standards there was nothing underhand about calling upon the “better sort” of a corporate body to act in the interests of the public good. Increasingly in England, however, this common good was being defined by the monarch’s will and in Maryland Baltimore was asserting that the public interests naturally correlated with his own. By creating and enfranchising St. Mary’s City, and personally sitting on its corporate bench, the Calverts made that point explicitly.\footnote{Archives, 51: 390-4; Withington, Politics of Commonwealth, 53-75; Catherine F. Patterson, Urban Patronage in Early Modern England: Corporate Boroughs, The Landed Elite, and The Crown, 1580-1640 (Stanford, CA, 1999), chap. 1.}

However well it sat with the most current vision of virtuous civic corporations in England though, the city’s enfranchisement was not entirely a victory for the Calverts’ urban vision. By sending urban delegates to the assembly the new charter partially undermined Philip Calvert’s earlier argument that the provincial assembly was not analogous to Parliament. The second charter acknowledged that Baltimore’s relationship to the borough was not parallel with, but subsumed within, his relationship to the provincial assembly. In three years few additional people had embraced the separate corporate relationship that the charter offered, and although they restated these civic ideals, the Calverts also realised that it would be many years before aldermen and common councillors would realistic challenge the assembly’s position. By subordinating the corporation of St. Mary’s City to the provincial assembly, the Maryland leadership at least gained slightly more ability to challenge the institution from within. Within a couple of years, Charles Calvert also began a long battle to reduce county representation from four to two and bring the county delegations to parity
with St. Mary’s City. Having proclaimed a network of ports, Baltimore presumably hoped that in time he could establish numerous enfranchised urban spaces that cultivated aristocratic civitas on a local level and bring this to bear on the troublesome assembly.

While the Calverts struggled to impose an urban vision on Maryland’s constitution and fitfully attempted to build one on the colony’s landscape, they were also engaged in an effort to inscribe towns on the image of their colony. Lord Baltimore and Charles Calvert cultivated close relationships with two men who could translate their ideal of an organised and well-governed urban hierarchy into the print media of chorography and maps.

The first of these men was Augustine Hermann, to whom Philip Calvert had outlined his plans in the late 1650s. Hermann’s mapmaking skills, combined with his experience in New Amsterdam attracted the Calverts’s attention. He was offered denizen status and a large land grant if he would produce a map of the colony, and by early 1661 the proprietor was fulfilling his end of the bargain, suggesting that Hermann’s first draft already existed, but his work continued throughout the 1660s while the Calverts were battling to establish St. Mary’s City and the network of ports. This context influenced Hermann in two ways. Firstly, the manorial land Hermann was offered in Cecil County became subject to a further condition; he was instructed to establish a town which was christened Cecilton. Petitioning the council in 1682, Hermann explained that the land for Cecilton was a key part of his grant because “the proposeall to a Towne to his old Ldspp [the 2nd Lord Baltimore] was onely by myself...to be erect and settled by me and my Associates.” Philip Calvert, having discussed

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68 Archives, 2:507-8
69 Hermann had served as a member of the important Nine Men who negotiated civic politics in New Amsterdam during the 1650s, see Christian J. Koot, “The Merchant, The Map, and Empire: Augustine Hermann’s Chesapeake and Interimperial Trade 1644-73,” WMQ, 3rd Ser., 67 no. 4 (2010): 610-11; Earl L. W. Heck, Augustine Hermann: Bogeyer of the Virginia Tobacco Trade, Merchant of New-Amsterdam, and First Lord of Bohemia Manor in Maryland (Englewood, OH, 1941) 32-46.
New Amsterdam's network of "cities and villages" with Herrman, no doubt felt he would be ideally suited to replicating the formula on the Chesapeake Bay. Establishing a town was not simply another condition placed upon Herrman's reward for his cartographic efforts, though, it actually redounded on the map itself. Both the earlier manuscript version of the map and the finished version sent to London printers by 1670 identified the town locations. The map noted every town named in Baltimore's proclamations and also included Herrman's Cecil in the final printed image. The towns may have been added after the initial composition in 1672. Charles Calvert noted in a letter to his father that his manors had been marked on the image and cryptically added that he would "observe yo' Lordshp' Command about Inserting what you have directed". Precisely when the towns were added, however, matters less than the fact that Baltimore was evident deeply concerned to have his new political topography delineated on this new map.

Herrman used a fourfold typology of English places, distinguishing major towns from smaller settlements, manors, and plantations — and a number of recently founded locations shared the symbol for major town with St. Mary's and the well-developed former Dutch settlement of New Castle, when evidence suggests that they were nothing more than empty fields (see figs. 3 & 4). Christian Koot has recently downplayed Baltimore's role in the mapmaking process, arguing that the project was rooted in Herrman's personal desire to

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Although the 1660s manuscript map does not survive, Jeanette Black has hypothesized that it was the model for two maps that have survived as part of the Blathwayt Atlas, which also mark the locations of the new towns: see Jeanette D. Black, _The Blathwayt Atlas Volume II Commentary_ (Providence 1975) 109-18, esp. 114-5. For reference to the map in Calvert's epistle, see _Calvert Papers_, 2:2 3.

(2) The typology is outlined in Kanski, "Augustus Herrman".
Fig 3 Detail of Maryland, from Augustus Herring, Virginia and Maryland as it is Planted (1676) Courtesy of the John Carter Brown Library at Brown University

Fig 4 Detail of the towns in Calvert and Anne Arundel counties, from Augustus Herring, Virginia and Maryland as it is Planted (1676) Courtesy of the John Carter Brown Library at Brown University
make the Chesapeake region an easily navigable space for intercolonial trade. If the map was intended for a primarily mercantile audience then it is significant that the nascent towns are emphasized. Equally, however, it difficult to substantiate Koot’s celebration of the maps accuracy or his statement that Herrman paid little heed to the land-based features of the region, given that he pox marked the coastline with towns that really only existed in Baltimore’s imagination.3 Objective accuracy was evidently not Herrman’s only aim. He made distinctions between urban symbols and the squares that designated plantations and manors, in order to portray the sense of orderly hierarchy, of “cities and villages,” that he knew to be the Calverts’ ideal. The urban symbols themselves also underscored this point; they consisted of several overlapping structures of various heights with a steeple rising from their midst, again emphasizing urban architectural hierarchy and appealing to a traditional European pattern where that hierarchy was topped by a church (at a time when Maryland colonists were lamenting the lack of actual Protestant churches in the colony). Finally, perhaps reminded of Philip Calvert’s disparaging comments about Virginia’s settlement structure, Herrman placed no urban symbols in the Old Dominion’s section of the map – neglecting even the recently redeveloped Jamestown. Herrman’s finished map, then, was a perfect representation of the proprietor’s new vision for the colony: towns were scattered across the various counties, the plantations fanned out from them, and the towns themselves emphasized the presence of hierarchical civic space.

Lord Baltimore also found another outlet for the new town-centred vision of his colony. The London publisher John Ogilby was engaged in an ambitious project to produce “atlases” for each of the world’s continents. Unlike modern atlases, these volumes were written compilations of the latest information and travel accounts. Many sections of Ogilby’s

work were copied from other sources, but when he brought his *America* volume to the press in 1671, he composed a completely new account of Maryland with Baltimore’s assistance and supervision. The proprietor’s concern that Maryland receive a favourable rendering in such an important new publication is unsurprising, but it is worth noting that this flattering portrayal contained, amongst the predictable glowing description of the colony’s climate and assurances about its liberty of conscience, a detailed explanation of the recent town plans.  

As a Londoner, and as a printer and poet, Ogilby was thoroughly enmeshed in the civic structures of English urban life. He was a citizen of London and a member of one of the city’s larger guilds, and he shot to fame in the aftermath of the Restoration for his two editions of *The Relation of His Majestie’s Entertainment Passing through the City of London, To His Coronation: with a Description of the Triumphal Arches, and Solemnity*. The volume described the scenes and speeches made by the city’s leaders in celebration of the Restoration, marrying traditional ideas about civic identity with renewed loyalty to the crown and the widening context of English empire. Ogilby, then, was probably particularly receptive to Baltimore’s urban vision for Maryland. In fact, throughout the chorographic sections of *America*, he paid particular attention to the towns founded by Europeans and by native peoples.

Despite the fact that Baltimore’s proclamation described the new sites as ports, Ogilby’s descriptions of them did not appear amidst his account of the colony’s economy. Instead, they flowed out of his description of local government. He explained the county court system, making clear the proprietor’s influence through the appointment of sheriffs, and then noted that there were also “Foundations Laid of Towns, more or less in each

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Fig. 5: John Ogilby’s *Nova Terrae Mariae Tabula* (1671). Image courtesy of the Colonial Williamsburg Foundation.

Fig. 6: Detail of towns from John Ogilby’s *Nova Terrae Mariae Tabula* (1671). Image courtesy of the Colonial Williamsburg Foundation.
County, according to his Lordships Proclamation." Apparently work had already begun "and Houses already built in them, all uniform, and pleasant with Streets, and Keys [sic] on the Water side." In addition, he offered a detailed description of St. Mary's City, noting that it had been "erected into a City by that Name, where divers Houses are already built."

Amongst the other developments there that Ogilby (and presumably Baltimore) considered significant were the residences of Philip and Charles Calvert, the provision of a safe and sturdy records office, and the plan to establish a fort and prison that could guard the city against piratical attacks. These statements in the context of the rest of Ogilby's America combined to portray urban development as primarily an issue of governance, designed to foster civic community and good government in order to attract new colonists. 6

The final piece of the elaborate urban image that Baltimore sought to fashion through Ogilby and Herrman was another map. Although Herrman's detailed cartographic work was already in London when America went to press in 1671, Ogilby chose to produce his own accompanying chart of the colony based upon Baltimore's much earlier map from 1635. Aside from changing the coats of arms, Ogilby's most significant alteration to the 1635 map was to incorporate some of Baltimore's new towns. Although he did not include all of the towns that Herrman marked on his map, the ones he did mark stood out even more because he did not clutter his image with the dense network of plantation symbols that Herrman used. Ogilby's map was far less accurate than Herrman's, and thus a lot less nuanced in its depiction of the urban hierarchy, but the point remained the same: Baltimore wanted readers to have confidence that Maryland was becoming a colony organised around a network of towns, with all the prosperity, civic order, and hierarchy that this implied. 7

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6 Ibid., 189-90.
7 The Maryland State Archives copy of the Ogilby map emphasizes the towns even more because they are picked out in red in the colour wash that this copy received. The colour may have been added at a much later
To some extent the towns marked on the Herrman and Ogtlby maps were more than just Baltimore’s wishful thinking. St. Mary’s City’s second charter bore some fruit. Delegates from the city regularly attended assembly sessions, and Thomas Notley was a particularly useful ally of the proprietary faction, first serving as Speaker of the lower house and eventually as Deputy Governor. The city Notley represented also saw its star rise during the 1670s. New buildings were erected around the central crossroads of the settlement, and the city’s civic community began to exercise its influence.78

The role of the capital’s loyal corporation was most visible when the assembly met in the spring of 1674. The issue of the statehouse in St. Mary’s had been left unresolved since Smith had abandoned the work in 1666. But whilst they reviewed the colony’s legal codes, led (probably not coincidentally) by city representative Robert Carvile, the lower house re-examined the unresolved bargain with Smith. They wrote to the council that they thought it “necessarie th' a State house Prison & Secretaries Offcie be Speedily erected at the Publick Charge in such Part or Place of the Priveince as his Excelency shall thinke fitte.” Given the ties between then-Speaker Notley and the Calvert family, this request may have been engineered by Charles and Philip as part of their baroque plan. However, Charles Calvert’s response belies this explanation: rather than immediately assenting and specifying St. Mary’s, he sent word that he would “make Choice either of St. Maries or Anne Arrundel County” and that he would leave the final decision to the lower house, provided they would undertake to build him a residence at whichever location they selected. This politic retort

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78 For Notley, see Papenfuse, et. al., Biographical Dictionary, 616; for building development in the 1670s, see Silas D. Hurry, “...once the metropolis of Maryland”: The History and Archaeology of Maryland’s First Capital (St. Mary’s City, Md., 2001).
probably reflects the fact that Calvert perceived continued distrust of St. Mary’s City, but it also may be rooted in a downturn in his tense relationship with his uncle, Philip, who was firmly entrenched in the city’s corporate governance. Whatever Charles Calvert’s motives, at this point the city’s civic community kicked into gear. “Members of both Houses” and “others of the Countie of St Maries” petitioned the Governor and presented a “signed & Scaled” commitment to undertake the building work for a new statehouse in the city. The corporate structure more than likely facilitated this group’s ability to quickly draft a petition and agreement for presentation to the Governor, as it was to do twenty years later when they petitioned again, this time unsuccessfully, against the relocation of the capital.

Opponents of the city within the lower house were clearly taken aback by the speed and ruthlessness of the response; two days later, when Philip Calvert had already begun the process of designing the new statehouse, the lower house voted to approach the Governor and asked “Whether it be not necessarie to Build the State house Prison & Offcie at the Ridge,” a location in Ann Arundel Count). There were, according to the plan’s proponents, “severall Persons of Qualitie” in the county who would be happy to undertake the work and would “build a House for his Excelency at their owne Proper Costs & Charges.” By this point, however, Charles, swayed by his uncle and the other city officers, replied that he had “allreadie declared his Choice” for St. Mary’s and so he did not “thinke fitte to take anie further notice of the s’ Paper.” The lower house accepted Charles’s decision, perhaps in exchange for the approval of a new law allowing them to inscribe their county-based authority on the landscape through the building of courthouses, and this time the elaborate statehouse actually moved from the pages of the assembly record to the physical world of the city, being completed by 1676. All of this wrangling may have been an elaborate charade of consultation by the governor, or it may have been a genuine moment of debate in which
the city could have lost its governmental functions to the hostility of the lower house. Either way, however, the week of discussion established two important things: first, that Charles Calvert was still not prepared to move the capital without safeguarding his status as its patron, and second, that any negotiation about the city now involved a powerful corporate lobby spearheaded by his uncles in the council and Notley and Carville in the lower house.  

Beyond the corporate confines of St. Mary’s, there is little evidence that the urban vision took root. Few of the ports named appear consistently in subsequent records. When town legislation was resurrected in the 1680s, however, quite a few sites such as Warrington in Calvert County and Bush Creek in Baltimore County were specified as “the town land,” suggesting that the physical space had taken on urban connotations. One of the town sites, Calverton, county seat of Calvert County, had apparently developed some semblance of urbanity by the time its citizens identified themselves specifically with the town in a petition to the 1682 assembly. Like Calverton, some other county seats may also have seen the development of courthouses or ordinaries, but these were hardly Ogilby’s much-touted “uniform and pleasant” streets and there were certainly no further incorporations.  

The reasons for the failure of the Calverts’ town plans in the late 1660s were probably similar to the general difficulties that handicapped urban growth in the region, namely the dispersed nature of tobacco agriculture and the ready access to transportation along the colony’s many rivers. New immigrants were still eager for land and no privileges or liberties that Baltimore could offer would induce them to sacrifice this dream in order to pioneer a corporate borough in the Chesapeake. Charles Calvert acknowledged as much when he returned to England in 1678 following the death of his father. Quizzed by the

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9 Archites, 2:370-9, 404-7, 413-4. For Carville’s role during this session, see Jordan, Foundations, 112.
10 Archites, 5:47. The 1683 act contained ten locations that implied preexisting urbanity, see Ibid., 7: 609-10. For comparison of the 1660s and 1680s town sites, see fig. 5.
81 Ibid., 7:278.
Lords of Trade about the “principal Towns” in Maryland, the newly styled 3rd Lord Baltimore was noticeably defensive, stating:

Other places wee have none that are called or can be called Townes. The people there not affecting to build nere each other but soe as to have their houses nere the Watters for conveniency of trade and their Lands on each side of and behynde their houses by which it happens that in most places there are not sixty houses in the space of Thiry Myles And for this Reason it is that they have beene hitherto only able to divide This Province into Countyes without being able to make any subdivision Into Parishes or Precincts which is a Worke not to be effected until it shall please God to increase the number of the People and soe to alter their Trade as to make it necessary to build more close and to Lyve in Townes.\(^2\)

Baltimore had good reason to be cautious. Complaints of his mismanagement were mounting on the desks of Whitehall officials, and Berkeley’s removal had demonstrated a new imperial vigour in the metropolis. However, it is worth noting a few other points about Baltimore’s assessment. First, his answer conflated two separate queries put to him by the Lords of Trade, one about towns and trade and the other about subdivisions of local government, suggesting that he still saw a correlation between the economic development of towns and the cultivation of units of local government. The failure to urbanise was rooted in private economic interests, but politically, it made it impossible for colonists to be effectively governed. This argument was rooted in Philip Calvert’s concern for “cities and villages,” but it also bore a close resemblance to the argument Lord Culpeper was making for post-Bacon Virginia at the same moment.\(^3\) Second, Baltimore’s response minimised his responsibility for failures in Maryland by laying the blame upon obstinate colonists. It was the people of the colony who refused to “live nere each other.” Colonists were actively rejecting the strictures and responsibilities of corporate citizens. The political philosophy that underwrote English urban identity in the seventeenth century juxtaposed the honestas and civitas that could

\(^2\) Archer, 5:265-6.
\(^3\) For the increasing scrutiny of Maryland in London during the late 1670s, see: ibid., 5:125-32; 260-3.
be cultivated in a community with the troubling private will that caused people to act against the public good in secret and private spaces. Scattered settlements buried deep in the wooded interior of Maryland fit this mould perfectly. Lord Baltimore was making clear, in the face of increasing imperial scrutiny after Bacon’s Rebellion, that he had not failed to offer the structures for such a political community—it was the private will of colonists that had led them to resist such order and flee from the oversight of a civic community.

In many respects, Baltimore’s argument, minus its invective, aligns closely with the modern scholarly consensus on this issue: ordinary colonists’ economic interests were not served by towns, so they militated against large expenditures on urban development. The problem for both modern scholars and Lord Baltimore, however, is that the ordinary colonists accused of resisting the communal structures of towns were more than prepared to fire right back. In fact, some disgruntled colonists had already made their position on towns very clear, and they played an important role in drawing Whitehall’s attentions to Maryland in the late 1670s. Whilst Bacon’s Rebellion was at its height in late 1676, a group of Maryland colonists—angry at the Calverts for a whole host of reasons, including his attempts to reduce the number of assembly delegates—had penned a polemic tract entitled *A Complaint from Heaven with a Iuy and erye and a petition out of Virginia and Maryland.* Written in stilted prose and filled with bitter diatribes against popish conspiracy, this text has attracted attention from scholars who have fitted it convincingly into the escalating politico-religious struggle of the Exclusion Crisis in England, but it is also a vital source for information about the reception of Baltimore’s urban plans and projects. The *Complaint* is, in fact, one of the only Maryland sources to offer a contemporary opinion on town-building written by the ordinary colonists and it suggests they were far from apathetic about urban development.84

The authors of the *Complaint* agreed with the proprietor that urbanisation was essential to the functioning of society, and therefore Baltimore's failure to urbanise the colony from its inception was a handy club to bludgeon him with. "Why," they asked, "did I see not primitivo tempore cause his Surveyor Generall to have marked and laicth out, lands for Townes for his Lordship's and the publicq use?" It had been a requirement of Baltimore's Charter, they were quick to point out, that he "bee a good steward to the Realim of England with it [Maryland] and to manage the affayres thereof for the common good, establishing the Country from the beginning in Townes and Corporations." Crucially, though, they made a distinction between the "publicq use" and the proprietor's interest that reflected the assembly's long-running disagreement over whether the public good automatically correlated with Baltimore's own interests. They claimed that the towns founded in recent years reflected only the latter, saying that the proprietary faction "have made Merchandize of the lands and will make Townes on 50 or 100 acres without comons or possibility for poore people to live in." In this way, "the Country is brought into a confusion about it [and] the provintiall court men must further all errours, but the Country's good welfare is thereby utterly interrupted." As far as surviving sources suggest, the authors of the *Complaint* were right to point out that Baltimore had established St. Mary's City and his other port towns without any common land, which was unusual by English standards, and by the standards established in early Virginia and New England. These colonists were not opposed to all urbanisation, but they were thoroughly aware of the aristocratic corporate structure, becoming more common in Restoration England, which Baltimore was attempting to impose on his new towns.85

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85. *Archives*, 5:137, 140.
Although the Calvert family’s plans were in keeping with the urban policies of the Restoration court, those royal policies did not meet with universal acclaim across England, and many corporations actively resisted royal control. The persistent belief that English corporations were still miniature city commonwealths that cultivated independent citizenship and community provided an ideological taproot for the resistance of these distant Maryland colonists to Baltimore’s definition of urban development. Foremost among the English corporations, and thus a natural leader in the battle for civic autonomy and in the critique of other royalist foibles (particularly James II’s Catholicism) was the Corporation of London. During the late 1670s, the city was enjoying a brief period of intense political power, fuelled by the corporation’s role in the Exclusion Crisis and the urban crowd’s dramatic engagement with the Popish Plot. The authors of the Complaint invoked the city’s example by claiming to be its “off spring” and dedicating their work to “the Right Honoble the Lord Mayor and Aldermen, with the Honoble Citizens and Merchants in London.”

This is not to suggest that all Marylanders always thought in such high-minded terms about Baltimore’s urban plans; many obviously had a pecuniary interest. However, the Complaint proves that town development was not a strange anathema to ordinary colonists. They understood their commercial connections to London’s trading community, “to whom our labour and industry affords in exchange for the merchandize many a thousand of thousands of returns,” and they believed in channelling them through a network of towns, with “New England... a good pattern, to have Maryland seated with the same felicity.” They also saw the economic aspects of urban development as wedded to the establishment of “Townes and Corporations” for the “common good.” But they understood quite well how

the constitutional position of English corporations was being challenged and how
Baltimore's urban plans fit within this process. Already suspicious of the proprietor’s private
“interests” in the Indian trade and taxation, the authors saw his reshaping of the political and
social topography of the colony as another private enterprise. Whereas Baltimore believed
his own interests to be the public interests and founded loyal oligarchical corporations on
this basis, the colonists reached for the political discourse of civic corporations to suggest
that such plans were actually masquerades of civic identity that cloaked proprietary tyranny.67

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Threatened in Whitehall, lambasted in Maryland, and troubled by the bloody
rebellion that had recently consumed neighbouring Virginia, the 3rd Lord Baltimore was
unsurprisingly guarded when he returned to London in 1677. The deep political and religious
tensions that had plagued his father's colony during the Civil War and Interregnum years still
remained. Working closely with his uncle, Philip Calvert, he had attempted to redesign the
colony’s political topography to develop a system of “cities and villages” that might anchor
his political and fiscal power over the colony. Towns were to be symbols of proprietary
authority, entrepots of provincial and proprietary revenue, and, most importantly, sites for
the development of civic communities whose loyalty could be more easily gained and
preserved. In the physical and institutional structures of St. Mary’s City, and the urban
expectations scratched on Herrman’s map, the vision began to take shape. However, the
lower house of assembly and the developing county gentry from whom it was drawn were
dubious about Baltimore’s claims to represent the public good; throughout the 1670s they
accused him of not protecting them from Indians or safeguard their landholdings. Instead of
embracing the proprietors’ narrow and oligarchical urban vision, these men worked to slowly

strengthen the position of their county jurisdictions. Not coincidentally, the few places
where a semblance of urbanity appeared in Maryland before 1680 were nascent county seats.

As Charles Calvert sat at his desk in London in 1678 to pen his responses to the
Lords of Trade, he needed only to look out of the window to see the urban unrest of the
Popish Plot and the Exclusion crisis. He had grown disillusioned at his failure to use town
development to extend his local control across Maryland, and the resistance to the Duke of
York across the English boroughs probably made him think twice about the plan’s viability
in the first place. Nevertheless, despite his protests about the obstinate isolationism of his
Maryland colonists, Baltimore’s struggles over town building were far from over. Lord
Culpeper was preparing to travel to Virginia with a new urban agenda, and Maryland would
not escape Whitehall’s increasing interest in Chesapeake urbanisation. But when he
returned to town development in the 1680s, he faced an increasingly influential gaggle of
powerful English tobacco merchants and a steady stream of imperial officials championing
another alternative urban ideal. Maryland town development became a three-sided debate.

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88 CO 5/1355/258-63.
Fig. 7: Towns founded in Maryland, 1668-1708. Town names are given where the name appears (uncontested) in contemporary sources. Map drawn by Sarah Park.
Chapter Five

Civic Power and Atlantic Revolution in Maryland, 1678-1691

As the leaves turned from vivid green to dappled orange and began to fill the streets of St. Mary’s City in the fall of 1682, Charles Calvert, Third Lord Baltimore, was probably hoping that the autumnal breeze might blow away his troubles. Since he had returned from his sojourn in England four years before, he had faced constant problems. With a new assembly gathered according to his new strict writ of election, he had reason to be partially optimistic. After welcoming the new session he embarked on an ambitious legislative agenda. Despite the misgivings he had aired in London, the centrepiece of this program was to be a renewed effort at town building. Rather than just issuing a proclamation as his father had done ten years before, he decided to take the plan to the assembly and obtain legislative approval.1

So, as November dawned on Lord Baltimore’s colony, the assembly got its first opportunity to explicitly voice their opinion on the proprietor’s urban agenda. Although they were sceptical about his plans, they began by observing that the plan would “tend much to the Honour Safety and Security of the Province and Advancement of Trade.” This was the last thing the assembly and Charles Calvert ever fully agreed upon in regard to towns. It demonstrated, however, that the assembly grasped something about the plan that has eluded historians. Despite being entitled “An Act for the Advancement of Trade of Tobacco,” economic oversight was just part of the plan – it also hoped to promote honour, safety, and security, all of which Maryland had severely lacked during the last few tumultuous years.2

Yet realising these potential benefits was no easier during the 1680s than it had been in the previous two decades. Urban development beyond St. Mary’s City clearly required

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1 Arcbues, 5: 265-6, 7: 333-335.
2 Ibid., 7: 350.
more than just a proprietary edict to breathe it into life; colonists would need to be drawn into towns with economic and political incentives, and they would have to exercise some control over their development. But where should the line between proprietary prerogative and decentralised control lie, and what kind of urban culture might develop in these new entrepots? The questions were as much political as economic, and they played into the heightening fears of Catholic tyranny that were gripping the Anglo-Atlantic throughout the decade. Arguments about the town plan broke out in practically every assembly session and reflected an awareness of the central role civic politics was playing in England's parallel struggle against Stuart ambitions. Because of Baltimore's position—assailed by both an assembly and a developing imperial system—the anatomy of these disputes in Maryland differed from Virginia in crucial respects.\(^3\)

The renewed efforts in the 1680s bore some fruit, and a few communities actually materialized. As small and inconsequential as they may appear when contrasted with eighteenth-century Annapolis (never mind revolutionary Philadelphia or contemporary London), these young spaces were called towns, and by the end of the decade, as Maryland descended into civil war, control of them as civic and social spaces became vitally important. Before dealing with Maryland's new towns and the revolution, however, it is necessary to glance back briefly to the experiences of Baltimore, and his council, since his return from England in 1679 to understand why he was again promoting towns when he had told the Privy Council it was "a Worke not to be effected" without divine intervention.\(^4\)

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\(^3\) For the Stuarts and towns in England during the 1680s, see Steve Pincus, *1688: The First Modern Revolution* (New Haven, Conn., 2009), chap. 6. For Anti-Catholic Sentiment in Maryland and England, see Antoinette Suto, "Built Upon Smoke: Politics and Political Culture in Maryland, 1630-1690" (Ph.D. diss., Princeton University, 2008), chap. 13.

Baltimore had hoped to avoid an assembly convening whilst he was in England, but as his affairs there dragged on late into 1678, the situation in the colony became untenable.

Thomas Notley, the St. Mary’s City alderman who served as his deputy during this absence, was forced to call an assembly in October 1678. The session was as tense and troublesome as Baltimore no doubt feared it might be. With the proprietor away, and the governor desperate to avert a full-blown conflict akin to Bacon’s recent depredations in Virginia, the session veered away from the tacit compromises previously reached. The delegates challenged Baltimore’s control of St. Mary’s City by claiming that they owned the land around the statehouse and could lease it to a contractor who wanted to attach an ordinary to the new building. Notley reminded them that they could not possibly own the land at St. Mary’s because they were not “a boddy Politique capable of succession” (this was one of the key characteristics of an urban corporation) and Baltimore himself was “lawfully invested with the land on wch the City is bujilt.” They also sought to reverse the plan to reduce each county’s assembly delegation from four to two and struck at the fragile consensus over local government by bolstering county court jurisdiction and clipping the wings of Baltimore’s appointed officers in the counties – the sheriffs. The Calverts’ unsuccessful urban plans in the late 1660s had at least leveraged them a more limited county structure, but the events of 1678 rolled back these compromises. When Baltimore returned to the colony a few weeks after the assembly had closed, he was horrified by the new reality that confronted him. He unravelled all of the legislative actions of the 1678 session. He also decided to reintroduce town development - but the way in which he did so was conditioned by other realities.5

Foremost among the colony’s other troubles was the continuous threat of Indian incursions on frontier plantations. Numerous attempts had been made to negotiate peace,

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but Maryland was caught up in a much larger conflict stretching across the Northeast in these years. In view of this difficult diplomatic tangle, it made sense for Baltimore to cajole his colonists into more defensible compact settlements; having already reduced the headright of land for new settlers, he decided in 1683 to phase it out completely and simply sell land grants. Developing towns was a natural corollary of this land policy, with the possibility that such urban spaces could be fortresses against Indian attack. “Our Defence” would become one of the most cited justifications for the town acts in the coming decade.⁶

The attacks themselves, however, were just the beginning of Baltimore’s problems. Far more dangerous was the culture of fear they created. Half-garbled rumours of Catholic- and French-backed plots to murder all of Maryland’s Protestants circled wildly around the colony, and as they were repeated and supposedly corroborated by other fleeting whispers they became as dangerous as genuine attacks. Tales of Catholic plotting were ammunition for rebellion against the proprietor, and the council unsurprisingly tried to crush such suspicions, but town development became part of this effort because troubling gossip was understood as a rural phenomenon.⁷ The most infamous and threatening rumourmonger of this period, Josiah Fendall, serves as a good example of the urban-rural dynamics at work. Fendall, who had served as governor in the late 1650s, had been barred from office after his betrayal of the proprietor in 1660. In early 1681 he began stoking opposition to Baltimore by combining news of Indian attacks on the frontier with accounts of the Popish Plot unfolding in England.⁸ Tensions with the local Indians had reached a crescendo by the middle of June 1681, and a group of Indians attacked colonists at Point Lookout, not more than ten miles

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from the city of St. Mary’s – five men and women lost their lives. Reports of the attack particularly noted that it had occurred “at the Lower End of the towne.” Fendall frequently railed against Baltimore “and particularly about the family that was cut off neere Point looke Out,” claiming that because of the proximity of the attack to St. Mary’s, the Calverts must have sanctioned it. Three years earlier Fendall had also been perturbed by a potential threat to poison the assembly delegates while they met in the city, and when rumours spread that it had not in fact been Indians who were responsible for the murders at Point Lookout, but rather “people of their owne Physiogmony or complexion dressed up in Indian habit,” rumour pointed toward a Catholic threat centred around the proprietary capital.⁹

Even the act of spreading rumour was conditioned by the scattered plantation landscape. John Dent, a justice of St. Mary’s County, testified against Fendall before the council, and his testimony reveals how men like Fendall spread gossip and how they framed it topographically. Dent explained that Fendall had intercepted him when he was walking home “upon the Road in the woods,” and asked him “how he did, and told him he was glad to see him, wondred he had no seen him at his house at the Store.” After these pleasantries, “Capt ffendall asked him what news?” But Dent replied that “he lived in the forrest, where they had little or noe news stirring.” Fendall then began to ask leading questions, feigning astonishment that “you heare noe news of the Indians, and of the Papists joineing with the Sinniquo Indians?” He followed this with a series of anecdotes about Indian footprints in the snow and about his persecution by the council. “Doe you not heare said ffendall what my Lord has done?” In Dent’s version of the story, the interaction ended here, because he rebuked Fendall and explained that what he spoke was “plain Rebellion.” Other witnesses, though, claimed to have heard Dent recount the story differently – Fendall had asked him

“how the people in the forest stood affected,” and he replied that he would prefer Fendall “said less and did more,” because “most part of the forest where I live will be at my Command” in the event of a rebellion. Which of these stories represented Dent’s true intentions is as impossible for historians to decipher as it was for the council at the time – such was the nature of communication across the colony. The confusion was explicitly tied up with the local topography. Reports were contradictory and threatening because conversations occurred along the roads that meandered through the “forest” and, in the council’s eyes, plotters like Fendall deliberately targeted the inhabitants of these rural, dark corners of the colony. In Dent’s case, confrontation with proprietary force in the city quickly cowed him, but he apparently professed to lead a powerful sylvan force.

Characterisations of the political opposition in Maryland as rural put fresh vigour into the urbanisation plans for the colony. Although no town act was proposed during the assembly session concurrent with Fendall’s trial, there were clear signs that Dent’s testimony coincided with the beginnings of a new plan to regulate the rural colony. A few days before he spoke at the trial, Dent subscribed to a proposal from the “Foresters” for “Building houses Convenient by the Water Side” for storing their tobacco before it was loaded aboard ships. In support of the plan, witnesses noted that current arrangements led to a confluence of foresters and seamen on private plantations, causing damage to buildings and fences, and also perhaps, by Fendall’s example, the proprietor’s reputation. The plan at this stage called for only a collection of public tobacco barns – what later generations of Chesapeake planters would call “rolling houses” – but it nevertheless signified that the objective of integrating the “forest” into the colony was already being pursued. No further action was taken during the

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16 Archives, 17: 55-56, 118-19.
17 Charles Calvert explicitly described Fendall and his supposed co-conspirator John Coode as “two rank baconuts”: Archives, 5: 280-82.
1681 session, possibly because the council was unsure of the loyalty of “Forresters” like Dent. Yet it demonstrated a renewed interest in the economic and political structures of the colony, not simply as they related to tobacco prices but also in light of the knife edge between rebellion and order on which Maryland teetered whilst Josiah Fendall stood trial.  

But the woods were not the only part of the Maryland landscape that seemed out of Baltimore’s control. The wide expanse of the Chesapeake Bay was an equally difficult space to govern. In the summer of 1682, there were serious fears that pirates were planning an attack on Baltimore’s rural manor at Mattapony and the magazine of arms housed there. Alongside the new town legislation in October 1682, the council also proposed a defence to guard the manor and the magazine. The interest in town development for “defence” may have been predicated as much upon fears of increasing piracy as upon the threat of Indian attacks. But ultimately Baltimore’s control of commerce and shipping on the bay was actually most susceptible to encroaching imperial authority. Christopher Rousby, a royal customs collector for the Patuxent region, was facing down the proprietor for oversight of the mercantile business that criss-crossed the bay. Rousby was, with some royal justification, asserting that he should be the first and last person that ship captains consulted upon entering and leaving the colony with cargo. By 1681 Baltimore was frantically seeking to get him replaced and calling him an “insolent and Knavish Collector who presumes daily to Nose me and my Government.” The English imperial state was making its presence felt as strongly in Maryland as in Virginia, and Rousby was a cog within this increasingly efficient machine. By the spring of 1682, the king was threatening to deprive Baltimore of his charter for obstructing Rousby in his duties. Historians have widely recognised this conflict between

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12 Archives, 7: 224. Dent was named as a town commissioner in 1683, but he resisted later efforts by Governor Francis Nicholson to build a spa town on his land when a spring was discovered. See: Ibid., 7: 610; 22. 279-80 319, 383, 398-99, 405, 418.
13 Ibid., 7: 338, 365.
Rousby's new imperial role and proprietary authority but have failed to appreciate how the settlement system and Rousby's relationship with urban space and community conditioned his run-ins with Baltimore, just as they did Fendall's during these same years. 14

Topography was central to customs collection. In England duties could easily be assessed at major port towns, and a network of customs houses in urban centres developed through the seventeenth century. Until now, however, Maryland had relied on regional customs officers, much like Virginia. Ship captains were technically required to clear with these customs officials, and so a series of much-frequented private homes substituted for urban shipping entrepots. But, before Rousby was appointed, Charles Calvert himself had served as the collector for the Patuxent region, ensuring that a loyal, St. Mary's-based official oversaw trade and turned a blind eye to dealings that suited the leadership. 15 When Calvert gave up the office upon inheriting the proprietorship and Rousby took over as customs collector, ship captains no longer came to the city; instead they congregated at Rousby's home, distant from Baltimore's influence. Rousby's zeal for enforcing the Navigation Acts made him a danger, but it was the rural nature of the Maryland collection system, the fact that it took place away from proprietary oversight, that was particularly troubling. When Baltimore wrote to England in an effort to oust Rousby, he accused him of corruption, pride, and favouritism, but he was particularly critical of the fact that Rousby warned ship captains against reporting to proprietary officers, preventing Baltimore from tracking shipping. In essence, Baltimore's complaint was that Rousby was attempting to make the

14 Archives, 5:274, 344-46. For a thorough summary of Rousby's career in Maryland exploring the incoherence between Baltimore's charter powers and the customs collection system, see: Antoinette Sutto, "You Dog... Give Me Your Hand": Lord Baltimore and the Death of Christopher Rousby," MIM 102 (2007): 240-257; see also, Carr and Jordan, Maryland's Revolution, 146-153; Land, Colonial Maryland, 85-86.

15 For the customs collection system in English towns, see William Ashworth, Customs and Exercise: Trade, Production, and Consumption in England 1640-1843 (Oxford, 2003), chaps. 1 & 2; for the development of a colonial customs system, see Thomas C. Barrow, Trade and Empire: The British Customs Service in Colonial America, 1660-1775 (Cambridge, Mass., 1967), chap. 1.
trade of the upper Chesapeake Bay revolve around himself. He went on to claim that “at Rousby's house ... the Comanders of London ships are much treated,” encouraged in treasonous talk, and made party to their host’s “lewd debaucht swear

"ing.” Unlike St. Mary’s City, Rousby’s home was outside “Civil society,” and Baltimore’s references to London were intended to connect him with the disorderly Whig opposition in the capital.16

Baltimore’s protestations against Rousby suggest that the county elites were no longer his only competitors for control over Maryland’s social topography. Navigation bonds and customs reports were becoming the currency of the English Atlantic empire, and in the absence of major port towns, men like Rousby were increasingly able to channel shipping through their own parlors, thus determining how money, people, and power moved across the colonial landscape.

The first signs of tension between the crown’s collector and Charles Calvert came just a few months after the latter’s return from England in early 1679. Rousby confronted the proprietor and “called his L.19p Trayto’ to his face.” Oddly, Baltimore appears to have done nothing about this inflammatory accusation. There was no record of the altercation until news began to filter into the rumour mills of the colony, at which point the council intercepted the accounts and described them as “an aspersion cast upon Mr Christopher Rousby” that also tended “to the Dishono’ of his L.19p.”17 The explanation for Baltimore’s remarkable passivity may lie in Rousby’s royal position – Baltimore may have chosen to overlook the angry customs official’s comments rather than pick a fight.18 But the council were quick to stamp out the rumours that began to circulate because they posed a far more

17 Ibid., 15: 227.
18 One version of the event specifically said that “if a poore man” had spoken to Baltimore in that way, “he would certainly have been laid Neck and heeles, but Mr Rousby was not afraid to tell him soe.” Archives 15: 230.
troubling threat to the proprietor's authority — rooted not in Rousby’s wild accusation of treason but in his claim that Baltimore was a “Runaway.”

In a colony filled with indentured servants and (increasingly) slaves, the connotations of the term “runaway” were probably already derisory, but in the context of the rumour, there appear to have been two specific accusations. First, Rousby was likely referring to the Popish Plot, a fabricated Catholic conspiracy to kill Charles II that gripped English politics during the winter of 1678. Baltimore was a Catholic who had the misfortune to be returning to his American colony within weeks of the supposed conspiracy being revealed. In Rousby’s mind this probably appeared too perfect a coincidence, and he concluded that Baltimore was running away to Maryland because of his involvement in the failed plot.¹⁹ The second accusation related to a crucial additional detail in the rumour: that “soone after [the confrontation] his Lspps Negro Boy Peter was sent away in all haste to St Maryes who was seene to ride very hard being sent as was supposed for his Honor the Chancellor that the Chancellor was seene to goe back with the said negro and had been at [Baltimore’s manorial home] Mattapony almost every Day since.” The confrontation with Rousby had obviously occurred not at St. Mary’s City but at Baltimore’s rural manor, and rather than confronting the accusation he remained ensconced in the wilderness and used a slave messenger to call his allies to him. This second part of the rumour fit more neatly with the New World definition of a “runaway” as a servant or slave who hid out in the countryside. Another version of the story held that Rousby’s showdown with Baltimore had occurred in St. Mary’s City, but that “the Lord Propry had thereupon taken his Negro Peter and was gone up to the Governor’s house.” It is impossible to know which version is true (if any), but the key

element was that when challenged, Baltimore abandoned the scrutiny of London and even that of humble St. Mary’s – a sign of guilt and illegitimacy.  

Rousby had apparently forced Baltimore to flee his own city and seek solace in a rural manor while increasingly drawing the trade of the colony into orbit around his own plantation. With the assistance of several merchant allies and concrete proof of Baltimore’s lax enforcement of the Navigation Acts, he was able to fight efforts to replace him, and he convinced Whitehall that they needed to take a firmer line with customs enforcement in Maryland. In December 1681 they “severely reprehended” Baltimore for his treatment of Rousby, and they threatened “that unless he do readily comply with the Acts of Trade and Navigation, His Maj. Will call him to a further account” or even rescind his charter. Word of this decision reached Maryland in the early summer of 1682 and placed Baltimore in an even trickier position. He could not risk further obstructing Rousby, but, for the reasons already noted, he still sought to regain oversight of trade and the social and mercantile topography of Maryland. When the next assembly met, towns were at the top of the agenda.  

Threats to his authority from Fendall, Rousby, and the provincial assembly were by far the most dramatic and troubling for Baltimore in 1681. Yet it would be a mistake to view them as the only causes of the return to urban development. Maryland’s economy was as shaken by the declining value of tobacco as its proprietor was by the rise in imperial ambitions. The price of a pound of Maryland tobacco fell thirty percent, from 1.15 to 0.8 pence, between 1678 and 1682. Baltimore wrote to London that “if some expedient be not speedily found,” then “the inhabitants will be reduced to great straights; they being at this time very bare.” The Maryland assembly quickly began work on acts designed to encourage diversification into leather and linen production, and Baltimore sensed that the moment was

21 Archives, 15: 286-308 (quote, 304).
ripe to gain assent for new town plans on the back of these fears over tobacco prices. The 1682 town act was described specifically as “for the Advancement of Trade of Tobacco” and clearly fell within the diversification agenda.22

Baltimore’s motives for town development in the 1660s had not been primarily to raise tobacco prices. The fact that he now hoped to sell urbanisation as a means to alleviate the depressed value of the weed probably owed much to recent events in Virginia. Charles Calvert was well informed about developments further down the bay, as evidenced by the comments on Virginia legislation and the plant-cutters that he sent to London. Furthermore, customs commissioners in London were also concluding that any urbanisation in Virginia would need to be mirrored in Maryland, so by the summer of 1682, Whitehall explicitly ordered Baltimore to observe the same development plan that they had recently agreed with Lord Culpeper for Virginia. The plan, they said, was “to promote the trade of His Subjects in those parts, and to encourage their industry,” and “to the end ... that so good a designe may be speedily put in execution” and “rendered most effectuall,” he was to “advise and deliberate ... and concur with His Lordship [Culpeper],” particularly about the planting of tobacco. The pressure was on Maryland, and Baltimore especially, to follow Virginia’s lead, and part of the Old Dominion’s solution to the tobacco crisis was urban development.23

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23 CO 1/47: 252-3, 5/1355: 258-63; CSP Colonial, 11: 1007. The scholarly consensus is that falling tobacco prices, and the example of Virginia’s elite, were motivation enough for an equally parsimonious coterie of Maryland councillors to pursue town development in 1682. This interpretation ignores the other concerns of the Maryland elite and whitewashes considerable differences between the Virginia town acts and the plans actually proposed in Maryland. The assumption that the plan was an elite project began with Francis Edgar Sparks, Causes of the Maryland Revolution of 1689 (Baltimore, 1896) 91-92. That assumption has been underlined by later scholars, and although Lois Carr and David Jordan have rightly contended that the plan did not appeal exclusively to the elite, they maintain that urbanization was purely related to tobacco prices. See, Kammern, “Causes of the Maryland Revolution,” 311; Carr and Jordan, Maryland’s Revolution, 19.
However, although Baltimore came under pressure to harmonise his economic policies with Culpeper’s in 1682, by this point opinions in London about urban development had changed somewhat. The customs commissioners had expressed serious reservations about towns, and controversial attempts to enforce the Virginia legislation in the spring of 1682 had sparked the plant-cutter riots. Baltimore could not have failed to notice this turbulence; he was well informed about the plant-cutters, and (if Virginia critics of town development are to be believed) the attempted enforcement of the act had caused numerous ship captains to abandon Virginia in favour of Maryland. An exodus of shipping to Maryland in the spring of 1682 may have inspired the Virginia leadership to nudge Baltimore toward towns in order to re-level the playing field, but no evidence of such a plan survives. What is clear, though, is that when the Maryland council broached it that autumn, the subject of urban development was already controversial; it was well known that many colonists and Whitehall officials had misgivings about it as a simple panacea for low tobacco prices.21

This transatlantic disquiet over Virginia’s urbanisation, combined with Baltimore’s own anxieties about his authority over the urban hierarchy, led to notable differences in the new Maryland proposal. Firstly, the Maryland council’s scheme was sent to the lower house with town locations already dictated by Baltimore, whereas the Virginia burgesses had long claimed the right to appoint locations. Baltimore’s desire to name the town sites would be a persistent point of contention for the remainder of the decade. Secondly, the council hinted at potential political enfranchisement for the new towns, reflecting previous proprietary pretensions toward independent corporate boroughs – a point reinforced by the continued presence of two St. Mary’s City delegates in the assembly. The renewed interest in civic communities may have also reflected a desire to generate a legitimate mercantile leadership

21 C0 1/47: 252-3; 1/51: 316-8; the Virginia assembly met at the same time as the Maryland session of November 1682, but they were stalled from further action on towns by acting governor Chicheley. JFC, 1: 41.
to combat the influence of men such as Rousby. Whitehall had already rejected incorporating towns in Virginia for fear of precisely such interference with customs enforcement. The third key distinction in the Maryland plan directly challenged the position of the crown’s customs collectors – it detailed the way in which the proprietor’s own collectors would operate in the new towns without any mention of Rousby and his colleagues.25

Taken together, these innovations by the Maryland council suggest an urban agenda concerned with tobacco prices and the structural problems of the economy but also shaped by Baltimore’s long-running battle to control the political topography of his colony and his intensifying struggle against imperial control. Because Baltimore’s authority in Maryland was fragile, it was inevitable that concerns over the price of tobacco would be intertwined with an anxious desire to maintain control of any new urban system. The Maryland assembly’s concern with economic development was also bound up with concerns about representation and local authority. In fact, Maryland’s council and its lower house danced a tricky two-step of economic stimulation and potential political power for the remainder of the decade.

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The ramifications of renewed town building were shaking the colony even before the council proffered their plan in the autumn of 1682. Given the troubled implementation of Virginia’s urban plan earlier that year, the possibility of a Maryland town project was probably already the subject of widespread gossip. The anticipation of imminent developments on this front was demonstrated by two petitions that the government received that spring.

The first came from Augustine Herrman, the cartographer who had inked Lord Baltimore’s towns onto his well-known map. Herrman wrote to the council in March with

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25 The initial upper house proposal is not extant, but using the legislation eventually passed in 1683 and the complaints and revisions that the lower house suggested in 1682, it is possible to loosely extrapolate which parts of the final legislation were first proposed by the upper house and which were added or refined by the lower house. J. Archibald, 7: 349-50, 368-72, 699-99; CO 5/1355: 258-63.
concerns about his land patent. The grant was in error by “by leaving out Towne Point in my mapp called Caecilton, when it is the very beginning and ending that comprehends Bohemia Manno’.” He reminded the council that “the proposeall to a Towne to his old L. was onely by myself (then hoped for) to be erected and settled by me and my Associates.” Herrman begged that the land on which the (notional) town of Cecilton sat should be added to his patent. Perhaps he was just safeguarding the scope of his manorial grant, but in that case it made little sense for him to remind the council of his failure to deliver a thriving metropolis. The explicit reference to the town land suggests that the Herrman family were suspicious of a renewed zeal for development that would enable other local leaders to gain a share of this potential urban site that they had staked out long before.26

Two months later the council were assailed by another petition. But this time the supplicants were not urban patrons looking to retain their grasp over a possible town site. They were, in fact, quite the opposite—a collection of Calvert County colonists who had settled at the town site on Battle Creek that had been designated in the original proclamation of 1668. Their petition provides the only surviving account of how the earlier proclamations were put into practice; the plea explained that the Battle Creek landowner, William Berry, offered Baltimore a parcel of twenty acres on which to establish a town “for the use of the County.” The petitioners went on to explain that they “did Build & Erect Several Dwelling houses and Store houses upon the said Twenty Acres of Land,” along with a courthouse and a prison at the county’s expense, “and from that time have continually Resided there.” This was the settlement that both John Ogilby and Herrman had recognised as Calverton in their maps (although it was also known as Battletown), and it was clearly less of a chimera than most of the sites they marked. The problem, however, was that the ostensibly generous

26 Archives, 1: 83-84.
Berry had been slower to convey the deeds to the property than he had been to promote the idea of the town. "Now finding the said Land to be much improved," the petitioners complained, Berry "doth utterly Deny to make any Tittle or give any Assurance of the said Land to the use aforesaid." Aware of the new urban direction plans, Berry was likely hoping to sell off the already developed land a second time for a tidy profit. Nevertheless, the petitioners never suggested that Berry had made a dramatic move to reclaim the land; they simply noted that they had failed to leverage a title from him. The decision to press the case at this moment thus lay with the people of Calverton, who were seeking to secure their control over their protourban site. The timing reflected a renewed confidence in the political and economic potential of the town they had incubated.

The petitioners won their appeal: the colony's councillors insisted that a new survey be made "in Presence of the Inhabitants of the Town," intimating that they represented a distinct community with economic and social interests at stake. That survey has survived as a unique depiction of a seventeenth-century Chesapeake town, with drawings of a number of structures. Buildings were labelled as civic structures or private homes, and their relative sizes offer a sense of spatial hierarchy - Berry's home was overshadowed by those of other residents. It is hard to know if the survey included every structure at the site (it likely ignored any structures just outside the twenty-acre plot), but the petition suggests there may have been other residents besides those whose homes were marked. The key point of the survey, however, was to identify the bounds of the land and the prominent civic superstructure that marked it as urban - namely, the public buildings and the homes of the leading residents.

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The Calverton petition and survey exemplify the way in which changing economic circumstances could inspire colonists to reconsider their political control over urban spaces and “town land.” Baltimore’s renewed interest in town development could not be pursued in a vacuum. Colonists such as Herman, Berry, and the residents of Calverton had a self-conscious stake in how this new era of urban development would play out. Despite their anticipation, however, there was no further urban planning in Maryland during the summer of 1682. It was late October before the council unveiled their new urban project, and it would be more than a year before the two chambers finally agreed on the legislation. In the process the old rifts about proprietary control over urban space opened up again.30

The first version of the town plan was proposed within a few days of the session opening. The lower house quickly delegated the drafting of a response to a subcommittee that contained both Robert Carvile (a St. Mary’s City alderman) and John Rousby (brother of the troublesome customs collector). The committee evidently met urgently — they presented a list of queries and concerns the next day. While the committee worked on the town act, the lower house began developing their critique of Baltimore’s plan to reduce county delegations at the assembly. From the very start of the session, town development plans were part of the same nexus of political debate as the questions of provincial representation.31

The committee’s report signalled ten problems with the draft legislation. They were uneasy about the short-term costs and restrictions that the act entailed. For example, they suggested that the date of implementation should be pushed back nine months, no doubt mindful of the chaos caused by hasty enforcement in Virginia. They also asked “how the Planters Tobacco shall be brought to the Ports ... how the Same shall be Secured and that

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30 Ostensibly, the reduction in representation was a cost-saving measure, but Baltimore was quick to emphasize that it was also founded upon his charter rights. Archives, 7:334, 17: 109-10.
the price of Storage may be Settled,” all indicating that they suspected the council of trying to make exploitative profits from transport and storage charges. But the other queries had a decidedly different tone. They revolved around who would oversee the project and control the physical and civic spaces it created. They asked that Baltimore, “take the Advice of this house, or the Commissioners of the respective Counties, before the said Ports or places be by his Lordship Appointed.” The locations, after all, had to “Suit with the Conveniency of the Inhabitants.” Given the tradition of proprietary prerogative in the previous town proclamations, this was a bold assertion, but the committee did not stop there. Their fourth demand was that “Some Rule or Establishment” be included in the act to explain “how, by whom, in whose Name, and for whose use such places shall be purchased.” Evidence from the Calverton case suggests that the previous town land had been purchased and established entirely under the proprietor’s name. The committee were clearly reluctant to replicate this system for fear of new corporations being hand-picked to hold the land in mortmain. In addition to these questions about patronage, the committee also asked how “his Lordships Rents, and publick Levy’s, and all the Officers ... shall be paid and Collected,” believing that the urban agenda might be a cover for expanding the proprietor’s network of appointed officials. In sum, the suspicions represented more than just pecuniary concerns over the expensive inconvenience of transshipping tobacco. To borrow the committee’s own words, their questions arose as much over who would benefit from the “Honour Saefty and Security” as they did over who would profit from the promised “Advancement of Trade.”

Lest anyone doubt the importance that the project had assumed for members of the council, they hastened to respond to the report the very next day, conceding more than half

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32 The lower house were not inherently opposed to diversification projects, and another of their doubts about the legislation related to the way it may interfere with the leather and linen acts they had already passed.

the points, including the nine-month delay in implementation. The broad concessions underscored the vital importance attached to the legislation but also undermined any short-term economic gains that might boost tobacco prices in the following season. Moreover, what disquiet the council did express did not lie with pocketbook issues. They explained that they anticipated giving the assembly a role in selecting the locations, but they made a subtle adjustment to the committee’s suggestion that “this house” proffer the sites by advocating “that both houses may Name the Ports.” The issue that provoked the strongest response was how the town land was to be purchased and held. Asserting the proprietor’s principles, they argued that “tis fittest the Land be Conveyed to his Lordship for the use of the respective Counties,” making him direct patron of all new town land. “If this please not,” they conceded, “let the two houses Name the Trustees,” but even under this compromise solution they would retain an influence over the selection of any urban trustees who could potentially form embryonic corporations. The council was treading a fine line between the urgency of new urban development and the necessity of maintaining proprietary patronage.31

With these concessions agreed scarcely a week into the session, the council optimistically named two of their number to iron out any remaining sticking points in a joint committee. However, the following weekend proved tense and testing. The lower house had expressed their displeasure at the reduction in counties’ assembly delegations by drafting an act to forever place electoral procedures under their control and Baltimore’s response was combative. He explained that his charter powers gave him the right to gather whatever kind of assembly he thought fit. This riposte had an immediate impact upon the discussion of the town legislation. The lower house made clear they would not discuss the town plan further until Baltimore backed down over elections, and the council replied that the election issue

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31 Ibid., 7:351-2.
was irrelevant, "his Lordship having already Settled the Number of the Members to be Elected in every County and City or Borough." The reference to cities and boroughs here was not formulaic — it reminded the lower house about the equally high political stakes of the town legislation. In a thinly veiled political gambit, the lower house then decided that the town plan was "Necessary to be Amended in Severall Particulars which will take long time in doing." They were giving the first clear signs that they were prepared to delay the town act in light of the constitutional issues over elections, but the "great weight" they claimed to attach to the urbanising legislation suggested that they understood the stakes on both sides of the deal and were not simply playing realpolitik with the proprietor's economic stimulus plan. 35

Both acts impinged upon the political constitution of the colony. The stakes in the electoral procedure controversy were neatly summed up when, in the midst of the debate, the council claimed they "Legally Represented the Freemen of this Province," and the lower house immediately responded that they were "the only Representative Body of the Freemen of this Province." It was on this principle that the delegates continued to pursue control over elections, the size of county delegations, and the locations for towns. 36 If Marylanders were searching for constitutional precedent in this battle, then the clearest example in 1680s England lay in the use of quo warranto proceedings against corporate boroughs. Thus, the anxiety over the colony's town act and its political connotations fits neatly with the lower chamber's other constitutional concerns when seen in light of English civic politics. 37

As the session progressed, the divergence in civic expectations and language between the two chambers widened. After the lower house claimed they could not spare the time for

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36 Ibid., 7: 354, 373.
the town plan, the council quickly replied, noting that the delegates had “agreed that it be Necessary and Convenient” and repeating the exact formula of “honour Safety and Security” that had opened the debate. They portrayed the lower house decision as a victory of private interest over the public good that “ought to be our Chiepest care.” The lower chamber had already spent eight days in discussion, at public expense, only to abandon the plan. The language of the council’s rebuke, in effect, contrasted their opponents’ actions to the kind of public spirit that would allow town building to shore up the honour and defence of the colony against men like Fendall or an Indian war party.38

The delegates, though, were equally adept at deploying civic discourse. At the heart of their argument was the contention that they sought a bill with “terms as well respecting The ease Commodity and Benefitt of the Commonalty as the honour of the Province.” It would be easy to interpret this statement as a trenchant argument against any form of urban development, since the “ease” of ordinary planters is the oft-cited handicap to any and all tidewater towns.39 However, the duality the lower house set up here was actually reminiscent of English urban traditions – namely, the balance between towns serving the commonalty of their citizens or those reflecting the honour of the crown. The lower house statement was starkly similar to the Complaint from Heaven six years earlier – civic institutions should reflect the common good of the existing community as defined by them, not be political nodes of loyalty and honour for the proprietor. This was not an argument against urbanisation, but an argument about the terms on which it would be pursued.

The idea that towns ought to reflect the common good as they envisioned it was reflected in a new set of concerns that the lower house penned. They identified an apparent mathematical error: “if the said fifty Acres be Divided into one hundred Lotts of half Acre in

38 Archves, 7: 365.
39 Ibid., 7: 368.
a Lott, then no Streets can be Admitted, if Streets first Laid out, then every Lott will be too small for the Building a Dwelling house, Warehouse and Necessary Yard; which must certainly Discourage every Person Settling in the said Towns." A superficially pedantic point, this complaint actually revealed the kind of urban community delegates were imagining. They anticipated a densely packed space in which all the lots were sold and none were merged, and they also believed that a true urban space would be made up of owner-occupiers with yards and outbuildings. Ostensibly the legislation aimed only to draw tobacco into ports and thus streets were arguably a secondary issue, but the lower house believed the only way to achieve real honour and security with towns was by enticing people into crowded civic spaces. The council argued that swift action was needed in order for building to begin, but this appeal for more haste and less speed was predicated upon a community vision of urban life which taught that even if you built it, they still might not come.40

The lower house was also concerned about an apparent loophole in the proposal—sales of tobacco could continue on private plantations, provided the product "be brought to the Towns before any Sale or Disposall." There was obviously potential for urban unloading and reloading to become merely a formality, which would do little but assist the proprietor in the collection of his revenues. Rather than couching their complaint as a suspicion that the urban plan would exploit ordinary colonists, they claimed the loophole was "Contrary to the Design of this Act." Yet if the design of the act was just to consolidate revenue collection, then the provision was perfectly consonant. The act also contained maximum rates for warehousing in towns that limited the cost to poor planters who would be forced to store tobacco before shipping, but the lower house argued that this provision would actually force

40 Ibid., 7: 369-70. Public spaces had been important to civic ideals of the town from the origins of Jamestown, see chapter 1 above. Furthermore, Michael Lucas has identified the importance of public spaces in early Maryland towns, see Michael T. Lucas, "Negotiating Public Landscapes: History, Archaeology, and the Material Culture of Colonial Chesapeake Towns, 1680-1720" (Ph.D. diss., University of Maryland, 2008), chap. 6.
some townsmen to accept other people’s tobacco at a low rate and leave their own to rot. Such an arrangement was “Enough to sett the Inhabitants together by the Eares.” Here the relationships within towns, and between them and their hinterlands, came into focus. A town set together by the ears was really no town at all. These complaints arose from an alternate vision of urbanity, in which trade and social interactions were united in towns.41

A final problem, the lower house suggested, was the lack of consultation over locations. They could not “take upon them to advise his Lordship to pitch upon any Certain places for Towns & Ports” without consulting county residents. This right was unknown in England, and unprecedented in Virginia’s town act or Baltimore’s previous proclamations. In the context of the debates during this assembly, though, the desire to consult the counties can be understood as a natural extension of their earlier insistence that they alone could dictate the sites. Facing Baltimore’s adamant assertion of his right to limit county delegations and the council’s claim to represent the people of the province, the lower chamber had further hardened its opinions, asserting their right to consult their neighbours on any major change in the social, economic, and political topography of their communities.42

A solution to the impasse seemed increasingly unlikely as November wore on. Members of the council gamely asserted that the solutions to the problems were “easily Added to the Bill,” but Philemon Lloyd, the speaker of the lower house, promptly rejected these appeals. They had “by Severall Messages,” Lloyd said, “declared that they had for Severall reasons thought fitt wholly to Wave any further Debate on this Subject.” Calvert tried in vain to coax and cajole the lower house, offering them a further forty-eight hours to produce an amended version of a bill “of so great Importance to this Province.” But two

41 Archives, 7: 369-70.
42 Archives, 7: 369-70. Parliament in England had no control over royal urban charters, which is why James II was able to manipulate the corporations in the 1680s, see Halleck, Dismembering, chap. 7; Pincus, 1688, 156-64.

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days came and went and no further action was forthcoming. The elections act was held captive by the council, and the town act lay ignored on the table of the lower house.

Winding up the assembly on November 17, Baltimore pointedly noted that he had "fully Complied with what they had desired of him this Sessions." The unspoken rebuke was that the lower house had failed to reciprocate on the honour-laden issue of towns. Members of the upper house were fully prepared to compromise on any financial issues and technical concerns that were raised, but ultimately the political ramifications for all concerned were too significant to be overcome. Practicality necessitated that the Calverts bring the new town plan to the assembly, and the struggling economy likely led them to believe it would garner some support, but it also exposed the legislation to a thorough critique drawn from a very different urban vision of towns as independent mercantile hubs and civic communities.43

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The assembly was scheduled to reconvene in the spring of 1683, but Baltimore was far from eager to lock horns once again. In December 1682 his uncle and political advisor, Philip Calvert, passed away, probably making another confrontation even less appealing. However, Philip Calvert's death may also have cooled the ardour for urban development. Philip had been central to the corporate efforts at St. Mary's City and had spoken for the council in many of the debates over town development.44 Nonetheless, urban development was on the agenda when the assembly gathered in early October 1683, and Baltimore greeted the lower house with a forthright account of the "great good and benefit, and the many Advantages that might Accrue to this province by Erecting Townes, ports and places of Trade."45

43 Archives, v: 277, 379-80, 401.
45 Archives, 7: 523.
In a dramatic move, though, Baltimore decided to call the delegates to meet at “the house of John Larkin at the Ridge in Anne Arrundell County” rather than St. Mary’s City, and he offered to relocate the government there permanently. Anne Arundel was closer to the geographic centre of the colony (with settlements expanding rapidly up the bay) and was thus more convenient for most delegates. But Baltimore’s decision was not based on the assumption that delegates forced to travel one less day would arrive at the assembly more amenable. Anne Arundel had served as Maryland’s capital when the puritan faction had ruled the colony in the 1650s, whereas St. Mary’s was unquestionably the most Catholic county in the province. The relocation, therefore, was a magnanimous concession in the generation-old debate about the colony’s topographical hierarchy; continued hostility to the province’s only incorporated city flared again during this session when delegates refused to recognize St. Mary’s charter. By relocating, Baltimore sought to demonstrate that new towns need not follow the St. Mary’s model. He was chopping off the head of the urban hierarchy and asking the assembly to build it anew. With a new capital city, the delegates would perhaps be less suspicious of proprietary prerogative in the appointment of other towns.46

This was a clever way to change the complexion of the debate, but it is hard to know whether Baltimore ever genuinely meant it. (He rescinded his promise the following year.) The timing of the tactic reflected the death of Philip Calvert - Philip was more invested in St. Mary’s City, and his death probably gave Baltimore increased flexibility to sacrifice the city to his broader plan. Genuine or not, the move to Anne Arundel presaged slow progress on urban development. Passing the town act remained an uphill challenge, but Baltimore had committed to redesigning the urban hierarchy and winning over the lower house.47

46 Ibid., 7: 448-49, 483, 523; Edward C. Papenfuse, "Doing good to posterity" : the Move of the Capital of Maryland from St. Mary's City to Annapolitan Towns, now called Annapolis (Annapolis, Md., 1995), 2-5.
47 Archires, 17: 144, 7: 447. For Philip Calvert's links to St. Mary's City, see Riordan, “Philip Calvert.”
The scale of the challenge for the new town act was still considerable. The lower chamber informed Baltimore that they could not “as yet come to any Result” about the issue of towns. A week later the council impatiently prompted again, only to be confronted with the same *quid pro quo* that had hindered the previous session. “Untill they have Answer concerning the Bill of Elections,” a messenger reported, “they cannot well perfect the Bill for Towns.” They were not intending to stonewall all legislation until the election issue had been cleared up: they were holding up only the town act, since “there are some things that will have relation to both Bills.” Although they did not explain the all-important ties, the implication was that both issues touched upon proprietary prerogative and that potential towns, as political entities, were as much a part of the Maryland constitution as the means of electing delegates. The upper house accused them of neglecting an issue “so earnestly Desired by the Generality of the Inhabitants,” but the delegates remained convinced that towns were a proprietary plan, “so much desired by his Lordship and Upper house.”

Despite the terse debate between the assembly chambers, the first week of the session had seen action over towns in the lower house. Suspicious of the council’s motives, they had chosen to keep their debate secret and avoid any joint committees that might have compromised their control, and they were clearly unprepared to act decisively whilst they awaited the decision on the election act. However, by the time they renewed their *quid pro quo* ultimatum to the council, they had settled upon a list of locations. They proposed as many as four towns in some counties, in contrast to the contemporary Virginia plans that proposed a maximum of one. This was likely the result of less cohesive county elites in Maryland who may have been unable to settle on single locations, or possibly continued apprehension that Baltimore could more easily control a smaller number of towns. The general principle,

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however, was that these locations should be under de facto assembly control. The lower house simply requested Baltimore’s “Approbation” of the sites they had selected.49

Baltimore, though, had no intention of backing down on the election issue, nor did he intend to surrender complete control over site selection. The list of “places for Towns Nominated by his Lordship and Upper house” that was returned to the lower chamber, identified town sites far more specifically, by landowner’s name or by the particular bank of a creek. Baltimore’s specific selections reasserted his ideal of urban patronage – at least half the landowners specified on this second list were proprietary allies, council members, or Baltimore himself. The list highlighted the personal connection between these landowners and the proprietor with phrases such as “Coll Burgess Land by gift of Coll Burgess” or “Major William Coursey having Assured Land.” Furthermore, the council also added six references to “Town Land” or “the old Town Land,” harking back to the previous proprietary town proclamations. In total, Baltimore and the upper house made significant alterations to more than a third of the locations, and refused to approve the lists of town commissioners for each county until they knew the extent of their powers. Although Baltimore recognised the need for assembly assent to the town act and was prepared to concede points of procedure in their development and structure, he still intended to build the civic community through a web of personal associations.50

The response from the lower house was unenthusiastic. They demanded a joint conference the following day to further discuss the election issue, but they appointed the members of the town-planning committee to “mannerage the Conference,” indicating that they still saw the issues as connected. The conferees would discuss the issue of electoral procedures, but it would also provide a venue for raising concerns about the new list of

49 Ibid., 7: 460-61, 526, 532.
50 Ibid., 465-66.
town locations that Baltimore had passed down. “At the End of the Conference,” the house unilaterally decided, “Any member of this house shall have liberty to make any Objection to Any of the places Appoynted for Townes.” The only man to take full advantage of this liberty was James Frisby, a delegate from Cecil County. Frisby was a merchant with strong commercial connections in England and few qualms with the proprietor’s authority. Keen to exploit the economic potential of a town, he persuaded the council to reinstate the town site on his land, which had been cut from their list. Frisby apparently persuaded the council of his loyalty and trustworthiness because his experience was not shared by other petitioners in the days to come. Delegates from Somerset and Anne Arundel counties approached Baltimore with alternative proposals for towns, and either through division or perceived disloyalty, were not able to convince the proprietor to relocate them. Whatever the reasons, most returned reporting that “the Appoynting places for Townes &c is Affirm’d by the upp’ house to be the prerogative of the Lord Proprietary.” The council underlined the point by insisting that a clause be added to the act giving Baltimore sole right “at any time hereafter to N nominate any new place or Places where the People are in Want of Town or Townes.” The proprietor was retaining his power to sculpt the urban system, and consciously constructing this power as a response to “the people” and their earnest desires.

Practicality also dictated that Baltimore keep a close relationship with the potential burghers of new towns. Baltimore had to be sure that the new commercial communities would be loyal to him and keep tax and duty income under his influence. When the lower house proposed an addition to the town act reorganising the collection system to give county leaders power to oversee the taxation in the towns, he baulked, insisting that appointing

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51 Ibid., 466. 549-50.
52 Ibid., 7: 465-66, 468.
53 Ibid., 7: 468-9.
officers should “be left to his Lordship as formerly” because the positions were “of very
great Concern not only to his Lordship but to the King also.” The unproved assumption
here (which Rousby would have undoubtedly contested) was that Whitehall could trust
Baltimore to protect their interests more than the provincial assembly. The council insisted
that if towns were to be a useful guard against both Rousby and the legion of illegal traders,
they had to be under the sway of men the proprietor could trust, and “it may happen that
such Persons may not be found Seated Conveniently for that purpose in every County.”

With Baltimore and his allies unprepared to compromise on assembly representation
or their prerogative control of urbanization, the lower house finally decided to explicitly
voice the anxiety that bridged the gap between these two issues. They debated “whether any
of the places aforesaid appointed for ports &c. Ought to be Enabled to send Burgesses to the
Assembly Till there be a Sufficient number of Inhabitants to bear the Charge of such Their
Burgesses,” and concluded that they should not. Their response to the proprietor’s assertion
of rights over towns was not economic but political; they neutered the potential political
threat of enfranchised urban places under the patronage of Baltimore’s allies. They claimed
that the towns could “prove Burthensome to the Publique by Increasing the number of
Burgesses in Assemblies,” but this explanation rings hollow, considering that the lower
house had been fighting against the reduction of county representation from four members
to two. The quid pro quo they had established the year before suggested a fear of establishing
towns before gaining control of electoral procedures precisely because they believed
Baltimore might quickly enfranchise the towns and overpower an assembly reduced to two
delegates from each county. They still intended to fight for electoral controls, but restricting
urban enfranchisement would safeguard against the spectre of a mass invasion of proprietary

54 Ibid., 7: 479.
urban placemen in the assembly. Limitations on urban enfranchisement, couched in the language of public cost, were a shrewd move because Baltimore could not realistically oppose this safeguard without contradicting his much-touted frugality with the public purse, and so the constraints on urban representation made it into the finished act. But this was still not enough to resolve the fundamental issue and the stalemate continued.56

With other issues deadlocked the lower house decided to take action to cement in legislation Baltimore’s offer to move the colonial capital to Anne Arundel County. They may have heard through the political grapevine that Baltimore was frustrated by the impasse on other issues and was likely to rescind the offer of permanently relocating the assembly. To curry favour they drafted an address to Baltimore from “Your Lords most humble and obedient Servants” and termed the capital relocation “a complement” to them. They cited the offer as evidence of Baltimore’s “great Love and Affection: to the good people of this province,” and asked for confirmation of the move’s permanence in order to “make provision of buildings fit for the reception” of the assembly and court. Dating back to their replanning of St. Mary’s City, the Calverts had always hoped that civic developments would foster “love and affection” between them and their favoured new urban subjects, so the assembly obviously knew what chord to strike. However, this did not change the fact that relocating the capital was part of a larger urban plan that the lower house was still stalling. Baltimore and the council replied that they could not possibly name a new capital “till such time as the Bill for Advancement of Trade be first Settled and past.”57

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55 Ibid., 7: 551-52.
56 Ibid., 7: 473-74, 552-53.
57 Ibid., 7: 487, 567-9. For the importance of “affection” in English political culture, see Alexander B. Haskell, “‘The Affections of the People’: Ideology and the Politics of State Building in Colonial Virginia, 1607-1754” (Ph.D. diss., Johns Hopkins University, 2004), chap. 1.
By the end of the session’s fourth week, Baltimore planned to wind up the assembly just as he had done when negotiations stalled the previous year. On Monday, October 29, Baltimore made one final effort to push through the town legislation. “The matter of Towns,” he lectured the lower house, “was the first and principall Business I recommended to you,” and three weeks of deliberations had already gone into the plan. The attempted quid pro quo to extract a concession over assembly elections was, he claimed, “without a President [sic].” Those political dealings allowed Baltimore to accuse the assembly of putting private interests ahead of the public good:

You will all of you take it unkindly at my hands should I question whether you Come here for the publick Good, and yet it plainly appears by the Proceedings of the Lower House, That without I will purchase a General Good for the Inhabitants of my Province I must not Expect it from Mr Speaker and the Lower house; Had I at the first Meeting of this Assembly proposed to you any Particular Advantage to my Self, you then might have had some pretence for the making a Bargain for the People; But since Nothing of that Nature was Moved to You, why must a general Good be had at so Dear a Rate as you would Impose upon me.

In a final bold gambit, he wagered the urban project on what he saw as sufficient public support across the colony by challenging the lower house, if they genuinely opposed the plan, to “go to your house and accordingly Vote it so, That so it may be known where and at whose Doores it Lyeth.” Knowing that there was a general sense of foreboding about the state of the colony’s economy, Baltimore decided that the lower house could not risk being seen as inactive. Since he was not politically naive, Baltimore’s challenge here raises serious doubts about the opinion of contemporary commentators that ordinary planters universally opposed the urbanisation. With this move he also justified his insistence on personal oversight of the towns, on the basis that he was most attuned to the popular interest in urbanization. Of course, assembly members’ decades of anxiety about the town issue rested on their conviction that the proprietor was not developing these civic spaces selflessly to
satiated ordinary planters, but since their general statement of opposition in the 1682 session they had not successfully employed the language of independent civic identity.⁵⁸

All the lower house was able to muster in response to Baltimore’s stern rebuke was their conviction that the two bills being stalled by the council “would equally give as great Content, and satisfaction, and settle the peace of the province.” Their efforts to force a quid pro quo were slipping away and they desperately approved a huge grant of one hundred thousand pounds of tobacco toward the cost of relocating the capital to Anne Arundel County, but the only response from the council was a request that they prepare for the end of the session. The game was up: the lower chamber immediately approved the town act.⁵⁹

More than a year of legislative wrangling had ended in a frantic vote. Unsurprisingly, the arrival of the approved town act inspired Baltimore to delay the end of the session a couple more days in order to wrap up other business, foremost amongst which was his implied agreement to relocate the capital. Henceforth they would gather at “what Place in Ann Arundell County there shall be Convenientys built.” This imprecise commitment made a mockery of his supposed rationale just a few days before, when Baltimore had delayed the capital decision until he knew where the towns were to be appointed. Nonetheless, the lower house readily approved the vast quantities of tobacco required for the project and set to work planning their new provincial capital. In this flurry of activity, legislation on electoral procedures was quietly forgotten, as the lower house must surely have realised it would be.⁶⁰

When the session concluded, Baltimore finally had his town act. The finished legislation bore the shape of the crucible of debate in which it had been forged. Almost all

⁵⁸ Ibid., 7: 492. For contemporary comments about a general lack of interest in town building amongst ordinary Chesapeake colonists, see James Blair, Henry Harwell, and Edward Chilton, The Present State of Virginia, and the College, ed. Hunter Dickinson Fansh (Williamsburg, Va., 1940), 4.
⁵⁹ Archives, 7: 493-96, 583-84.
⁶⁰ Ibid., 7: 499, 505, 515, 600.
the locations were those dictated by the proprietor, and the lists of commissioners for each county were headlined by members of the provincial council. At the same time, however, he had to accede to the appointment of twenty-four commissioners in each county, diluting his control of the urban planning process. Restrictions also limited town lot sales to residents of the surrounding county for a period of four months, granted local residents full trading and market rights in the towns, and even provided that revenue from fines earmarked for the good of the town should be overseen by the local county bench. Finally, the plan gave local merchants a monopoly on carrying tobacco to the towns and trading it within the colony, with the obvious intention of helping to build up not only a transatlantic economy but also an intra-Chesapeake mercantile network. In these respects the Maryland assembly members shared a county-centred urban vision with the Virginia elite.

The act also emphasized that towns were to be more than economic entrepots. They were explicitly mandated to have “a Church or Chappell, & Marckett house or other publick buildings.” Given the religious divisions in Maryland, erecting churches in new towns immediately made them contested public spaces. Moreover, the “Convenient streets Laines & Allies” had to be carefully planned out as equitable civic spaces “to the benifitt of each Respective Lott.” Finally, the act barred separate urban representation in the assembly until towns could support their own delegates, but inherent in this proviso was the assumption of gradual politicisation without Baltimore even issuing new corporate charters.61

Mutual suspicion between Baltimore and the lower house, combined with anxieties about transportation costs and convenience, had resulted in as many as five towns being appointed in some counties. Even in good times, the Chesapeake tobacco economy could not have incubated so many urban spaces simultaneously. And these were not good times.

61 Ibid., 609-19.
As winter arrived in 1683 and the delegates made their weary way home, the task in front of them might have been politically pivotal, but it was also economically onerous. For the rest of the decade, they and other Marylanders would lay claim to urban projects or actively resist them. Never able to realise organic growth, the network of towns would be manipulated as a political tool because the question of urban authority remained unresolved.

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It did not take long for the fault lines emanating from the assembly to open again. The questions of urban authority reappeared in the provincial council chamber less than two months after the assembly was prorogued. Liberally lubricated with liquor, prominent assembly member Robert Carvile had fallen into discourse with some justices from St. Mary’s County and had outlined his interpretation of the town act. What he had to say that evening earned him a summons before the council.

Carvile’s troubles began when he was confronted for not paying fees he owed to the provincial secretary. He began personally insulting the council, saying that Nicholas Sewall and John Darnall were “but Boyes” and asking “what was Coll [Henry] Darnall or Coll [William] Digges?” When told they were “his betters,” he promptly scoffed that “my Lord [Baltimore] putt none in Office but knaves and fooles,” a particularly provocative statement when addressed to Joshua Doyne, Baltimore’s appointed sheriff for St. Mary’s County. As offensive as these statements were, the council, investigating the fracas, were far more troubled by what Carvile had to say about towns. Carvile had gone on to “discourse about the Towne at Choptico,” one of the foundations the town act stipulated for St. Mary’s County. This location was on Baltimore’s own manor, and the inebriated Carvile claimed that “his Ldp in the Assembly had promised to give soe much land as should be allotted for a

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62 Fees charged by the provincial secretaries to record land patents had apparently doubled around this time, which created controversy in the next assembly (Archives, 13: 68).
Towne.” When a disagreement ensued over whether Baltimore had freely gifted the land to the assembly, a frustrated Carvile claimed that “if My Lord poles us wee must pole him,” implying that he was withholding his fees to “pole” (attack or provoke) Baltimore for deliberately and maliciously withholding the urban freedom he had promised. Evidently chafing under the potential urban patronage of the proprietor, he grumbled that it was “a brave way of wyer drawing, to make fair promises to work their own Ends, and not performe.” He avowed that his own lineage was just as honourable as the Calverts’, and he concluded that Baltimore was “My Lord a ffart,” because “there is little difference beweene him and a ffart.”

Carvile was clearly very drunk that evening – he admitted as much himself. However, the rum punch revealed some of the implicit assumptions from the previous assembly, in which he had played a key role. It was essential to Carvile that Baltimore freely surrender the town land to the commissioners. Combined with his resentment at proprietary placemen, this accusation suggests that Carvile envisioned independent civic meritocracies, at odds with the proprietor’s plans. His outburst was a fitting start to the practical business of town building that would be marred by disputes over the pace and direction of urban development and framed in conflicting languages of “interest” and invocations of the public good.

Carvile was not alone in disputing the terms of the town act. Baltimore had to call another assembly session the following April to address a general lethargy amongst the town commissioners. He alerted his councillors that “the severall Commissioners ... had instead of

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63 The Oxford English Dictionary defines “wire-drawing” as “The forcing or stretching of words or meaning by subtle argument; (also) excessive prolonging or over-refinement of something,” www.oed.com.
64 _Archives_, 17: 181-84.
65 Ibid., 184.
66 The assembly session of 1684 was instructed to gather at St. Mary’s City once again, despite the negotiations of the previous session to move the capital. This was ostensibly for Baltimore’s convenience, since he was planning to leave shortly afterward for England and wanted the session nearer to his residence. Yet it may have also underscored his frustration with the early progress of the town act, since he was reneging on the promised
promoting [the towns] by their forwardness in putting the said Act in Execution, been very remiss and negligent therein.” The only extant evidence of such stalling – Carvile’s drunk outburst – suggests that the neglect may have been rooted in distrust of the proprietor’s interpretation of the act rather than of urbanization in general. Baltimore’s pronouncements on the process over that winter emphasized the personal political aspects of the act that were most likely to irk commissioners. He warned not that they might run the colony’s economy into the ground but that they risked “incurring his heavy displeasure,” and were “running the hazard of being excluded and exempt from any future or further benefit or advantage to be obtained of us” for the towns in question. Not since the town proclamations of the late 1660s had the proprietor made so clear the exchange of responsibilities and civic privileges that he considered inherent to urban foundation. He sought to convince individual town commissioners to envision themselves as urban clients in personal relationship with him, just as Charles II in England was enticing townspeople to voluntarily surrender their corporate governance in hopes of securing increased privileges under a new charter.67

In the month between Baltimore’s new proclamation reaching the counties and the assembly opening on April 1, there was no time to arrange meetings of the commissioners, never mind actually acquiring, surveying, plotting, staking, advertising, and auctioning off the town lots. Baltimore had, however, sent a shot across the bow. When the assembly met they squirreled themselves away in committee rooms for two weeks thrashing out a resolution to the many temporary laws that Baltimore wanted reorganised and recodified before his departure. But questions about the town act lingered. On April 17 the lower house revealed relocation that had been so closely intertwined with its passage. Alternatively, it may suggest that Baltimore always saw the relocation to Anne Arundel as a political ploy and never intended to follow through with his commitment to a new capital. For a survey of the capital move, see: Papenfuse, “Doing good,” 2-5. - Archives, 17: 195-96. Baltimore’s urgency in addressing the town issue may have been inspired by his fight with William Penn; evidence of urban development would suggest he was making productive use of his land, especially when the part of the Penn grant he most coveted was the town of New Castle. Archives, 17: 230-36, esp. 235. 67 Baltimore did not make clear what these mysterious additional urban privileges might be. Ibid., 17: 218-20.
that instead of waiting for Baltimore to act they were preparing a supplement to the town act themselves. They wondered whether the council might “have any petitions or other matters” to contribute. Pandemonium broke out in the council chamber, forcing the speaker to order that “but One person at a time Speake.” Anyone interjecting or interrupting was to be fined, but each man was to “speake his opinion distinctly” on the subject.68

Whatever tense arguments gripped the council that morning were apparently not considered worth recording, but by the following day they had resolved upon a number of alterations to the act. They advocated new town foundations in Calvert County at Battle Towne (alias Calverton) and either Mount Calvert or Muffs Shell Bank, sites that shared a key feature – a local patron loyal to the proprietor.69 In the case of Calverton, Michael Taney, a prominent town resident who had been involved in the previous disputes over the town, had attended the session and reassured the council that he, rather than the troublesome Quaker William Berry, was in control.70 Further up the Patuxent, the sites of Muffs Shell Bank and Mount Calvert were both convenient to the estates of council member Henry Darnall. The incentive for naming these locations was certainly mercenary on the part of the council – establishment of the towns would bring them increased mercantile income – but why had they waited until now to stake their claims? The answer lies in Baltimore’s growing annoyance with men such as Carvile, who were stalling and quibbling in order to extract more power and independence and ultimately “pole” the proprietor. Darnall and Taney sensed the opportunity to take the initiative in their communities.71

68 Archives, 13: 4-5, 21-22. For the lengthy discussions about recodification of the law code, see ibid., 13: 53-94.
69 Ibid., 13: 22.
70 Taney may have already made the point when he hosted the provincial council meeting at Calverton a few months before. See ibid., 17: 186, 189, 193.

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The assembly eventually agreed on fourteen changes in addition to the two that the council had suggested. The sheer number of petitions suggests that, far from being ignored, the legislation had unleashed debate across the colony. Although most petitions requested town relocations, the lower house mainly resolved to add the suggested sites instead of sacrificing locations they had previously lobbied for. The “Inhabitants of Pocomoke” in Somerset County, for example, requested that the town on “Barrows ridge” (near modern-day Snow Hill, Md.) be removed to the seaboard side of the county; the lower house approved a new town, but the Barrows site was to remain undisturbed. These additional town sites obviously reduced the inconvenience and transportation costs for planters forced to ship their tobacco to towns (while also making the whole plan increasingly unrealistic). Yet it would be wrong to suggest that unenthusiastic planters deliberately shoehorned in new locations to dilute the effectiveness of the legislation. The fact that most petitions that requested substitutions rather than additions suggests that colonists understood the difficulties involved in establishing a limitless number of towns and that they were thinking practically about the project, but ultimately they were hindered by preexisting interests amongst assembly delegates who refused to sacrifice the previously named locations to realignment. Ultimately, the multiplication of town sites arose because a truncated and preoccupied assembly was seeking a quick and uncontroversial fix to the town problem that would prevent Baltimore from once again seizing prerogative control over the process.²²

The rhetoric of these discussions reflected the challenge of legitimising control over the urbanising process. Most petitions claimed to originate from the “inhabitants” of a county or preexisting town (in the case of Calverton) – none came addressed from just the town commissioners or county justices. When the lower house rejected a proposed site, they

consciously framed it with the language of private interest. A plan to relocate one of the towns in Cecil County to Augustine Herrman’s site at Cecilton was characterised as “a private petition” that was “inconvenient” to the county community. Throughout these discussions, then, the lower house was claiming to be the arbiter of private versus public interest. The assembly was constructing the amendments to the act as an outgrowth of their popular mandate. They also increased the town commissioners’ power, enabling them to act with a quorum of just five men and allowing them to divide up responsibility for the towns in each county in order to embed the planning process more fully within local communities. It should come as little surprise that the leading delegate charged with drafting the new empowering legislation was Robert Carville, who had drunkenly asserted local authority over the town-building agenda a few months before.  

Deep division remained at the county level over control of the town-founding process. The council groomed new locations for its allies while the lower house acceded to local demands and delegated more responsibility to the counties. Baltimore approved the supplementary act that spring, out of a desperate desire for action, but uncertainty over potential urban authority remained – and would only increase as political tensions rose through the decade. Doubtless the trading restrictions of the act troubled many colonists, but the inconvenience and cost of shipping tobacco to towns was accentuated by persistent questions about Baltimore’s influence in the new civic spaces or the role of county leaders in the building process. Although the assembly had agreed to most of the petitions and had eased the restrictions on county commissioners, trepidation remained over actually taking the surveying chains into the fields or erecting those first warehouses and homes.

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73 The council minutes assiduously distinguished between new locations proposed by the “inhabitants” of a region and those proposed by a particular county’s assembly delegates. Ibid., 13: 25 27, 85-86, 111-20.
Baltimore left Maryland a few weeks after the session concluded and, as circumstances unfolded, he never returned. His absence, however, did not ease the tensions of the town-building process. Controversies and disputes continued to hinder the fitful attempts to put the acts into execution across the colony. In these conflicts the difficulties of urbanisation continued to be rehearsed through civic language whilst reflecting the heightening political divisions in the colony. While the council attempted to weather showers of criticism from within the colony, they were also buffeted by transatlantic political forces that laid claim to the young provincial towns. Battling for Baltimore’s urban vision on two fronts, the council lost control of the embryonic town plan and, in the process, of his colony entirely. 

The first major incident occurred in Somerset County during the summer of 1684. It probably did not surprise the council, since disagreements over the towns in Somerset had occurred in both previous sessions. The lower house had elected to retain the proposed location at “Barrows Ridge” on the upper Pocomoke River despite agreeing to another town on the oceanside. No more was ever heard of the newly mandated saltwater site, but “Barrows” came in for another assault. In early October provincial councillor William Stevens, Somerset resident and enthusiastic town commissioner, brought his council colleagues a report from the county’s town commissioners. That summer the commissioners had met at an alternate location near “Barrows,” called Snow Hill, accompanied by “a considerable number of the most ablest of the Inhabitants of the Sea Side” who requested that they “take a view of the Conveniency” of the place. Having assessed the site, the commissioners moved on to the “Barrows” site, where they received a surveyor’s plot but also a further harangue from “the Inhabitants aforesaid,” who “earnestly request” that they “look into the conveniency and Inconveniency of the sd place.” The browbeaten

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commissioners ultimately recommended the relocation of the budding town at "Barrows" to the alternate site of Snow Hill, a change that the council agreed could be instituted at the next assembly. It is impossible to know how big the crowd of concerned citizens was, but the story suggests two possibilities. Interest in the town amongst residents of eastern Somerset County may have been sufficient for them to turn out en masse and escort the commissioners across the countryside purely to get a town relocated (not supplemented) by a few miles. Alternatively, just as in the previous assembly, the town commissioners may have felt it essential to legitimise a relocation plan they supported with reference to mass public appeal even if it had not materialised as dramatically as they described. Either way, the events demonstrated how debates over the political control of urban foundations were reflected in the public life of regions far from the proprietor's gaze.  

Manufacturing a veneer of popular support also proved vital in Calvert County. From the beginning of the town-planning process, it had been clear that Calvert County would need a town on the upper Patuxent River. The lower house had at first suggested a location on "Coxes Creek" in 1683, but Baltimore overruled this nomination and selected a site "att John Bowlings Land neere Gaunts Land."  

In the spring of 1684 the council dictated two new locations – the resurrected Calverton, downstream, and Mount Calvert, upstream – and as a result they were then prepared to accede to the selection of Coxes Creek.  

The lower chamber, however, were apparently less attuned to the public mood than Baltimore himself, since the decision elicited a vitriolic response. Rather than lobbying their town commissioners, as Somerset residents had done, the inhabitants of Calvert County drew up a petition to the council that they eventually presented in the autumn of 1685. Fifty-

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76 Scholars have struggled to pinpoint these precise locations on a modern map, but they were near each other on the Patuxent, see Reps, Tidewater Towns, 99; Shomette, Lost Towns, 299; Archives, 7: 460-61, 465-66.  
eight men signed, claiming that the switch had been made at the “malitious suggestions” of an unknown person and that the new location was “altogether to us inconvenient.” The dispute between the two sites was about relative commercial convenience and economic advantage, but it is notable that, just like the Somerset town commissioners, these colonists wanted to justify urban development with a popular mandate. Instead of simply ignoring the town act’s provisions and organically coalescing at the site of their choice, they engaged in mass political petitioning and demonstrated that they saw urban development as a direct political relationship between a community of colonists and the proprietor. When political troubles in Maryland finally sparked revolution against Baltimore just four years later, pro- and anti-proprietary factions in various counties compiled mass petitions in order to claim legitimacy, drawing on the precedent of collective activism over towns in Somerset and Calvert Counties. Nor was it merely the form of petitioning that was common; at least half a dozen of the petitioners against Coxes Creek in Calvert County went on to sign the county’s pro-Baltimore petition. The process of town building, and its legitimation through a popular mandate, fostered the political culture of petitioning that would be central to the deepening factional divide in the colony through the 1680s.

In Charles County, just across the Patuxent River from Calvert County, the politico-religious factionalism was even more tightly intertwined with questions about control over urban development. By the winter of 1684-85 the lack of action on towns in Charles County had attracted the council’s particular attention. The council’s concern suggests either that Charles County’s inaction stood out against a backdrop of other counties’ pursuit of an

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8 At least nine of the signatories were illiterate, suggesting that the petition was not simply an elite pretense of populism. Archives, 17: 408-9. Interestingly, the petitions fit within the tradition of English urban petitioning, especially during the Restoration when burgurers collectively supplicate for new charters or rival urban political factions generated lists of subscribers. For the history of Restoration era petitioning, see Tim Harris, London Crows, chap. 7; Mark Knights, Politics and Opinion in Crisis, 1678-1681 (Cambridge, 1994), chaps. 8-9.

9 Archives, 8: 110-11. For analysis of the names in the 1689 petitions in Maryland, see Lois Green Carr and David W. Jordan, Maryland’s Revolution of Government, 1689-1692 (Ithaca, 1974), chap. 3.
urban agenda or that the council perceived some threatening political strain in their inaction.
Either way, by early March 1685, council members were digesting reports that “several
culious and ill affected persons to the good and welfare of this Province have raised and
spread abroad scandalous speeches and discourses concerning” the town plans. A faction
within the county had even succeeded in thrusting out the deputy surveyor, Randolph
Brandt, “before he could finish” plotting the towns. Understandably frustrated, the council
issmed a fresh proclamation specifically for the recalcitrant county, “requiring the speedy and
vigorous prosecution” of the town act under Brandt’s supervision and “awarding punishm’
on all such as shall endeavour to obstruct impede or prevent” him from doing his duty.89

Charles County was the poorest and least fertile part of Maryland’s lower western
shore, with more small planters than any other county, so it is tempting to see this obstinacy
as evidence of opposition to town building amongst poor colonists. The council, however,
believed that the “Inhabitants of [Charles] County ... were willing to build and promote soe
good a worke.” Although no petition from Charles County survives to support the council’s
claim, we cannot discount it as wholly fallacious; early evidence suggests that disorganised
settlement nucleation may already have been occurring in at least one county site. So we
must look elsewhere to understand why some Charles County leaders were vociferously
hindering urban development there.8

89 Ibid., 17: 358
80 Ibid., 17: 358. For the economic circumstances of Charles County, see Lorena Walsh, “Charles County,
Maryland, 1658-1705: A Study of Chesapeake Social and Political Structure” (Ph.D. diss., Michigan State
University, 1977), 388-454. Local historians in Charles County have a tradition of tracing the origins of the later
town of Port Tobacco back to the establishment of Chandler’s Town in the 1650s. But there is little firm
evidence of a nucleated settlement at Chandler’s Town, and it also remains unclear what relationship this early
village site had to the location on Port Tobacco Creek named in Baltimore’s town proclamations of 1668 and
1671 and marked on Augustine Herman’s map as Bristol. See Ethel Roby Hayden, “Port Tobacco, Lost Town
of Maryland,” MHM 40 (1945): 261-76; Shomette, Lost Towns, 195-202; Morris L. Radoff, The County Courthouses
and Records of Maryland (Annapolis, Md., 1960), 2: 61-3; Margaret Brown Klapthor and Paul Dennis Brown, The
History of Charles County, Maryland (La Plata, Md., 1958), 31-33.
Other dynamics at work in Charles County hindered the implementation of town plans. The county had been a hotbed of dissatisfaction with proprietary authority — it had elected proprietary opponent Josiah Fendall to the assembly a few years before and had provided a base for his abortive 1681 rebellion. Town building in Charles County thus inevitably acquired a factional dimension. When Baltimore selected the county’s town sites in 1683, he appointed one on land belonging to the Catholic Church on Port Tobacco Creek. He would have struggled to find a more divisive site anywhere in the county, and it was quietly abandoned in 1684. But the factional dimensions persisted. Atop the list of Charles County town commissioners (even, extraordinarily, above provincial councillor Edward Pye) was then-sheriff William Chandler, a loyal proprietary ally with London mercantile connections. The location selected to replace the site on Catholic property was at the head of Port Tobacco Creek, where Chandler’s family already held property. In addition Randolph Brandt, the unseated surveyor who had been initially charged with enacting the county’s urban plan, was a Catholic with experience serving as a proprietary appointee. For suspicious Protestant leaders in the county who had backed Fendall, the triumvirate of Brandt, Chandler, and the Catholic Church probably made urban development seem too threatening a spectre. Faced with this factional deadlock, the council responded with an equally confrontational proclamation, bypassing the local town commissioners, citing the supposed popular mandate, and ordering Brandt to resume work at the sites, and “returne his proceedings therein to his L.”” Council at the City of St. Maryes.”

These methods proved insufficient. In autumn 1685 the council received a fresh report from the county’s new sheriff, Robert Doyne, that towns had still not been laid out.

82 Archives, 7:465, 611, 13:29, 112; Papenfuse, Biographical Dictionary, 160, 209; Shomette, Lost Towns, 195-96, 200-201. The council had already appointed Ninian Beale as the new surveyor for Charles County, which makes this order to Randolph Brandt more curious. They likely wanted Brandt to finish the work he started, but they may also have been taking a political stand against those who ousted him over the town issue.
This time there was a more thoroughly worked-out excuse. The new council-appointed surveyor, Ninian Beale, actually resided across the Patuxent in Calvert County, and the town commissioners claimed they could not summon him from outside their jurisdiction. This argument held little water, since Beale must have visited the county regularly – otherwise no land of any kind could have been patented. The council certainly thought little of it: they immediately ordered that Beale carry out the work. However, the resistance directed specifically against another appointed surveyor suggests a continued suspicion of proprietary authority. Although Beale became a prominent rebel during the 1689 overthrow of Baltimore’s power, at this point he was apparently an active proponent of town planning and had the council’s trust. Latent levels of resistance to urbanisation were likely no higher in Charles County than elsewhere in Maryland, but because they apparently became politicised, they attracted the attention of the provincial council.83

Nonetheless, internal political factionalism was only half the problem. Baltimore’s decision to revive town-building at the start of the decade had been partly due to his confrontations with Christopher Rousby, one of the royal customs collectors. In the middle of the decade, dealings with Rousby and the entire English imperial machine turned fatal. Late on the evening of October 31, 1684, aboard the royal patrol ship Quaker, Baltimore’s cousin and councillor George Talbot thrust a dagger into Rousby’s chest. Within thirty minutes the royal customs collector was dead – murdered by Maryland’s proprietary authorities. The contest between proprietary and royal authorities that had partly inspired the urban project had now taken on a darker aspect. Not waiting for royal approval, the council immediately appointed three of their number to act in Rousby’s stead and began a tense

83 Beale was involved in the establishment of Mount Calvert in Calvert County. His interest in land speculation led him to see potential in urban development projects, see Carr et al., Maryland’s Revolution, 234-35; Lucas, “Negotiating Public Landscapes,” 39, 96-97; Archives, 8: 89, 17: 319, 406-7; Torrence, Old Somerset on the Eastern Shore of Maryland: A Study in Foundations and Founders (Richmond, Va., 1935), 211.
transatlantic war of words with the surviving customs collectors and Captain Thomas Allen, commander of the royal patrol ship on which the murder had been committed. Just as Rousby's complaints had inspired the new push toward urbanisation, his death spurred further change. The ensuing battle between proprietary and imperial authorities revolved partly around the control of urban space, and the struggle forced Baltimore -- still ensconced in London -- to renegotiate his urban plans with the city's merchant community, undermining the promises his councillors had made to the civic petitioners in Maryland. 54

The provincial council's initial problem was that George Talbot was being held in custody by Thomas Allen, who intended to use the attack as a pretext to extend royal control over the colony. Allen confidently proclaimed that once news of the attack reached England, Baltimore's charter would be "not worth a pin." In the immediate context, this statement meant that he had no intention of giving Talbot over to stand trial amongst his fellow councillors, and he sailed off down the bay to present his prisoner to Governor Effingham in Virginia. The contest for control of Talbot's body became one over the location of legitimate authority between Baltimore's council and the royal representatives, and unsurprisingly, urban authority was quickly invoked. Councillors Henry Darnall and Nicholas Sewall visited the Quaker to attempt to reclaim Talbot, but they chose two members of the St. Mary's corporation to accompany them, despite the fact that the crime had occurred at the mouth of the Patuxent, within the jurisdiction of Calvert County. Allen's refusal to hand over his captive became an affront not only to the proprietary authority of the councillors but also to the physical authority of St. Mary's as a capital with a fully functioning provincial court and civic structure. 55

Less than a month later, with Talbot still a prisoner in Virginia, the council tried another ship captain, William Wheeler, in a case that emphasized the urban dimension of Allen’s actions. Wheeler had backed Allen’s position in a lively debate over the murder. The council claimed that Allen should have reported to proprietary authorities in St. Mary’s City immediately upon his arrival in the colony, which would have averted the contest of authorities that led to Rousby’s death. Wheeler took umbrage at this idea, asking sardonically, “must he come to the City of St. Maries” and “make report to every Chimney Sweep.” The provincial council investigated whether Wheeler had been comparing them to chimney sweeps, but one of the witnesses reassured them that he had “meant the people of St. Maries & not any others.” This was less offensive than disparaging the council itself, but it still demonstrated that a central part of undermining Baltimore’s authority was to make a mockery of the city where that authority was located.86

Wheeler’s opinion notwithstanding, Allen had, in fact, come to St. Mary’s City before the fateful night of Rousby’s murder. His visit, though, was far from respectful; it was a physical assault that demonstrated all the contempt indicated by Wheeler. Prominent alderman Garrett Van Sweringen complained that the Quaker had moored at the city nearly a week before and Allen had wreaked havoc. His men had paraded through the streets “with musketts upon their shoulders” and rudely rebuffed any queries that Van Sweringen put to them. Furthermore, they had broken into his garden and stolen vegetables and then commandeered the kitchen of another alderman, Mark Cordea, to prepare a hearty supper. The sailors had done little more than uproot some cabbages and bruise a few egos, but they asserted royal authority over the proprietor’s urban hub and rode roughshod over two of the

86 Ibid., 17: 307-11.
city’s long-serving aldermen. It was no coincidence that less than a year later the city
corporation codified a lengthy list of bylaws to reassert its authority.  

The challenge that Allen posed extended beyond St. Mary’s City. After Rousby’s
death, he asserted that he alone possessed the authority to appoint a replacement customs
collector, whereas the council had already named three of their number to fill the role. Allen
sailed the upper Chesapeake Bay enforcing his power and discounting any papers issued by
the proprietary party. The town act, as we have seen, had partly been an effort to wrest
mercantile control away from collectors such as Rousby, so Allen’s peregrinations across the
bay enforcing the Navigation Acts were exactly the opposite of what proprietary officials had
hoped to achieve. By February 1685 the council were writing frantically to Baltimore in
London that Allen had “openly declared malice to this Province” and was “continually
infesting the several Ports here.” Where towns had been inaugurated, merchant and trading
communities were being terrorised by the Quaker’s crew “Lording it over them, in a most
insufferable manner.” The council told Baltimore that by undermining the young towns, not
only would the trade of the province be ruined but also “you Governm’ here [would be]
rendred ridiculous and ineffectual.” No doubt Allen’s conduct was acutely challenging to
the councillors personally, but rather than focus upon this threat, they framed him as a tyrant
persecuting port communities and thus upsetting the economic and political constitution
they had been busily erecting over the past five years.\textsuperscript{88}

Both Allen’s zealous enforcement of the trade laws and events in Charles County
came to a head in the spring of 1685. In the first week of March the councillors took action

\textsuperscript{87} Ibid., 17: 300-301, 323, 418-23.  
\textsuperscript{88} Ibid., 17: 341-43. There was obviously another side to this debate, and a different royal collector in Maryland,
Nehemiah Blakston (who would later become a prominent leader of the revolution against Baltimore),
complained that the proprietor’s appointed collectors were blocking his access to the colony’s port towns and
thus preventing him from doing his duty. Ibid., 5: 436-39.
to retain control of the town-building process. They postponed the upcoming assembly session for six months, expanded the powers of councillors Henry Darnall and William Digges to oversee admiralty courts, and issued a general proclamation about the state of the urbanisation effort. It chastised opponents of town building, who they claimed had been “led away either by ignorance or ill affection to the publick good & welfare.” These men had taken occasion to raise to themselves and broach several seeming difficulties, which they pretend may be grounded upon the designe of Townes, and endeavour to amuse & persuade the vulgar that the Townes aforesaid will not goe forward to the great prejudice of the good people of this Province, and others trading hither from other parts, and also to the manifest hinderance of Seating the said Townes.

Such charges were familiar – disaffected people, inspired by private interests, were using persuasive speech and political wrangling to act against the public good. The proclamation also implied that detractors were impugning governmental commitment to the scheme. Since the urbanising agenda would require the active engagement of ordinary colonists (such as those who petitioned in Calvert and Somerset Counties) in actually building the urban community, these seeds of doubt about the good faith of the council in the endeavour were particularly dangerous. This was essentially a battle not for buildings and wharfs but for hearts and minds.89

The council’s proclamation attempted to play their two opponents off against each other by emphasising the economic empowerment of urban places in the face of officials like Allen. The council offered civic authority to anyone prepared to assert themselves in trade and take on their own regulation against imperial officers. “Daily experience tells us,” they insisted, that without towns “tradeing cannot be duely managed or with any advantage

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89 Ibid., 17: 362-63.
or certainty continued.' Trade had already “continued” for half a century in Maryland with almost no urbanisation, but the observation reflected a new reality as English merchants were becoming better organised and customs officials were cracking down. In this new reality the appealing part of the council’s pitch lay in the idea of “managing” the colony’s trade, just as the citizens of English corporations were able to manage and oversee the exchange of goods within their civic spaces. Baltimore had long been keen to gain this control but sceptical about whom he delegated such wide-ranging commercial self-determination to. Even now the council never explicitly mentioned who would wield this potential urban power to manage trade. But with Allen hovering in the bay and the very real threat that Rousby’s murder could cost Baltimore his charter, they were certainly pushed into a more generous reframing of the offer of urban control. Overzealous imperial officials had become the greater of two evils. The council calculated their appeal to portray themselves as public-minded leaders who were prepared to devolve managerial authority over mercantile exchange to civic-minded townsmen. The problem, of course, was that colonists like those in Charles County still trusted the Catholic proprietor’s council less than royal authority, or English merchants, to serve their best commercial or political interests.

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The view from London, where Baltimore sat in his chambers scanning dispatches, was quite different. He sporadically travelled to Whitehall to squirm under increasingly intense scrutiny. But he was also well placed to consistently assess mercantile opinion in the metropolis. London tobacco merchants had already helped a nix Virginia’s town legislation in the early 1680s and they remained suspicious of any commercial inconvenience in the urbanising agenda. During the summer of 1685, while Baltimore tried to pit his charter

\*\*\*Ibid., 17: 359-63 (quotes, 362, 363).\*\*\*
claims against William Penn’s in the halls of power, he probably rubbed shoulders with these same men as they petitioned Whitehall for more changes in mercantile policy. He was also confronted with a barrage of new queries and instructions from the Commissioners of Customs, specifically targeted at Maryland in the wake of the Rousby scandal. But none of this probably came as a surprise by the time he reached the metropolis. Before he embarked on his transatlantic voyage he had sojourner in Virginia, meaning he had been an eyewitness to Governor Effingham’s vain attempts to amend the Virginia town plan to better suit the interests of merchants and customs officers. It seems highly probable that while Baltimore shared drinks in the parlour of Effingham’s Jamestown residence he received a thorough education in the kind of town development Whitehall had in mind and the difficulties of persuading planters to support those plans.

As Baltimore read dispatches from Maryland in the summer of 1685, including the new trenchant appeal for urbanisation the council had issued that spring, he was forced to view them in a new light. He responded with new instructions and advice for his deputies in the colony. This bundle of papers reached Maryland in mid-November and it immediately inspired the council to amend the provisions of the town act to allow merchants and ship captains from outside the colony “to lade transport and carry to such Townes and Ports” any tobacco produced at outlying plantations. In effect this proposal neutered the town act. Though hogsheads of sotweed were still supposed to be brought to the towns, if Atlantic merchants had already agreed an exchange at the various plantations and were doing the carrying themselves, they would inevitably allow the barrels to barely touch the quayside.

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92 Archives, 17: 392-98; CSP Colonial, 12: 284.
93 Effingham’s assembly session in May 1684 is described above, p.203-07. For evidence of Lord Baltimore’s presence in Jamestown during this session see William Byrd, The Correspondence of the Three William Byrds of Westover, Virginia, 1684-1776, ed. Marion Tinling (Charlottesville, Va., 1977), 17.
94 Archives, 17: 424-37.
before rolling them back up the plank and making for the mouth of the bay. It completely undermined the local control of the trade that the council had promised in the spring. Equally, though, the proclamation neatly mooted the internal arguments over the convenience of particular locations and addressed the tobacco merchants’ fears about a lack of facilities in the port towns. Although it was ostensibly from the council, it bore the marks of Baltimore’s London experience. Retaining friendly relations with the merchant community on both sides of the Atlantic was becoming the proprietor’s highest priority.

During the following year, however, the situation did not improve. By spring 1686 rumours abounded that Baltimore’s charter was void and Maryland was under direct royal control – a fate parallel to that recently meted out to the New England colonies. The relaxation of town trading rules had produced little activity. The extended deadline for the construction of houses passed in December 1685. In Charles County, where the town legislation had caused the most disquiet, conflict between the sheriff and leading residents rumbled on. On the mercantile front, the spring of 1686 brought yet another dispute. A New England merchant bound for Jamaica was apprehended and threatened by Captain John Croft, commander of the new royal patrol ship Deptford. When the council reassembled in September 1686, this case, amongst others, demonstrated that Maryland’s commerce was still at the mercy of royal appointees like Croft, who were determined to undermine them. In response the council returned to the town act and once again extensively reworked its provisions, breaking somewhat with Baltimore’s recent advice and attempting to outmanoeuvre both their opponents within the colony and the irksome Captain Croft.  

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95 They had already extended the deadline after which undeveloped lots would revert to the commissioners because “through the scarcity of provisions, want of workman, and other necessaries for building” even many of those who were enthusiastic about the project had failed to meet the cut-off. Ibid., 17: 398.
96 The rumors charter revocation sprung from Whitehall committee work, see CSP Colonial 12: 632, 645.
97 Archite, 17: 405-9.
In another lengthy prelude, they explained that they had only waived the shipping rules the previous year in order to facilitate the colonists' purchase of ships and sloops for future use and promptly reinstated the provisions. They again cited the private interests of those who spoke against towns and explained that they were a definitive public good because no colony had been known to “thrive” without them. Yet despite these repeated invocations of the common interests of ordinary colonists, their intention was to reassert firmly their control over the town development process and the mercantile oversight that went with it; in many respects this proclamation represented a retrenchment of the council’s vision back to the directly controlled proprietary corporations that had inaugurated debate again in 1682, if not the even earlier vision of Cecil Calvert’s proclamation ports in the 1660s. The key innovation was that they “nominated appointed and particularly ordered meet and fitt persons living convenient to the respective Townes that they take especiall care to see the said Acts observed” and inform on anyone who resisted. The primary responsibility of these new officers was to track all trade within their particular towns, noting all imports and exports as well as the names, places of origin, and destinations of all ships that docked there. They would also issue ship captains certification that all their tobacco had been loaded at a town site, which could then be passed on to “his Ldps. Collectors.” Such a system, successfully implemented, would have given the provincial authorities access to a far greater store of mercantile information than the royal collectors. Appointing officers also gave the council direct executive representatives, wielding considerable local economic (and probably indirect political) power, in each of the towns they hoped would grow into bustling metropolises. The council later increased its control further by enabling individual councillors to appoint and dismiss the town officers at will. In England the state was gradually acquiring considerable control over provincial towns through directly appointed
officers and customs officials, and Maryland’s new town officers were an astute copy, apart from the fact that they were to be proprietary officers precisely intended to frustrate the extension of a similar imperial system in the colony.  

A glance at the names of the new town officials tends to confirm this conclusion. Less than half of the appointees had been selected as town commissioners by the assembly in 1683, suggesting that the council preferred to empower men who were independent of the county delegations. They were clearly also selected for their loyalty to Baltimore. A number were drawn directly from the council’s ranks.  

Of the others, only four later served in the revolutionary government in 1689, a scant 12 percent of their number, and at least thirteen can be verified as opponents of the uprising. Although this is a crude test for assessing loyalty to Baltimore three years before the rebellion that overthrew him, it likely underestimates the trustworthiness of the selected men at that time – one of the four appointed as town officers in 1686 who later joined the rebellion against Baltimore, Ninian Beale, had been working with the council to promote towns in Charles County for a year before his selection as a town officer and only later became disaffected. Detailed study of the revolution in Maryland has suggested that a kind of glass ceiling for county officeholders during the 1680s contributed to the resentment that boiled over in 1689, and the fact that the vast majority of those who benefited from the only significant patronage office created

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99 Ibid., 5: 495-98, 527-29.
100 These included William Diggles, Vincent Lowe, Edward Pye, and William Stevens.
101 The men who served in the rebel assembly were Ninian Beale, Robert Smith, George Robotham, and John Brookes. The identified opponents include all the council members noted above as well as Joseph Piles, Richard Hill, Thomas Knighton, Michael Taneys, Richard Smith, Michael Turbett, Richard Boughton, Thomas Taylor, and William Nowell. The loyalties of these men were determined using the pro- and anti-Associator petitions (*Archives*, 8: 110-11, 128-47) with the help of tables in Carr, *Maryland’s Revolution*, and the notes Lois Green Carr used in compiling that volume, which are stored in the Maryland State Archive and were generously supplied to me by Jean Russo.
during these years remained loyal to Baltimore seems to bear this out. But these were not merely passive placemen whose nests were sufficiently well feathered for them to keep a low profile when the colony’s politics heated up. Their loyalty to Baltimore coupled with their close connection to the colony’s embryonic towns helped to make urban sites key venues for proto-civic politics once the revolt began.

The town officers became an immediate topic of controversy. Told to report to the council on the opening day of the 1686 assembly, just a month after being appointed, the officers, perhaps inevitably, caused a confrontation between the houses of assembly. Only the acts of this assembly survive, but they include another extensive amendment of the town act, which signals the contours of the discussion. Delegates arrived in St. Mary’s with more suggestions for relocating towns, and thirteen sites were added while only four were removed, but the contest between the original town commissioners (mostly county justices), and the council’s newly appointed town officers was also at the heart of the debate. The new act emphasized that the town commissioners appointed in the previous acts were to “have As full & ample Authority” as they had previously held for buying and surveying the land in addition to a new broad remit “as to the doing & performing of all and every other things & things whatsoever relating to the new Townes.” At first glance this expansion of the commissioners’ powers may appear a blow to the council and its town officers, but in reality it probably represented a tradeoff. The remainder of the act laid out the trade restrictions that would require all goods to be shipped via towns, effective immediately, and that would necessitate storage of all tobacco in towns beginning in 1688, and the council’s town officers were empowered to enforce this. The two parts of the 1686 act sit uncomfortably together – one re-empowering the county leaders to erect urban communities according to a popular

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mandate of convenience and the other reinforcing the direct financial control of the council’s appointed officers. This bifurcation represented the political tensions between the colony’s elite and its county leaders as well as the increasing pressure that Baltimore’s deputies felt to seize firm control of the mercantile system.104

Much to the council’s frustration, not even this student new proposal could reshape the colony’s economy overnight. They issued two more proclamations haranguing colonists for their tardy response and threatening them with Baltimore’s ill opinion upon his return.105 In reality the proprietor was still embroiled in metropolitan disputes and could not think of returning to Maryland, but he was growing increasingly frustrated with the confrontational attitude of his council toward English merchants and traders. He sent a new governor, William Joseph, during that summer, armed with a new list of instructions.106 Joseph was told “to dispence with the penalties” in the act and allow full trading rights for the foreseeable future to all “vessells belonging to the port of London” and “such as shall come from other ports of England.” He justified his decision by explaining that he was “satisfied that the planters there are not in a condicon as yet to bring their Tobaccoes to Townes,” and even if they could, he had been told there were still no urban facilities for storage. This information had been thoughtfully supplied by “the traders and dealers to my Country,” who had also offered to cut him a deal whereby they would still call at the appointed places to certify their cargo provided they had free rein in collecting it from the plantations. London’s merchants had been careful to emphasize that “they were very much for Townes themselves, but the want of those conveniences ... rendred the way prescribed by the Act as yet utterly

105 Ibid., 5: 564, 8: 3-4.
106 Joseph was a prickly character who angered many assembly members, but he dealt with his instructions over the town act in a business like fashion. Ibid., 8: 14-16; Carr, Maryland’s Revolution, 44-45; Jordan, Foundations, 132-35.
unpracticable.” Furthermore, Baltimore noted with surprising candour, “the like designs not having met with any success in Virginia makes me apprehend that should this Act be pressed too hard upon the Traders it might prove a fit Subject of Complaint for my Enemies to the King against me and my Government there.” Baltimore was now beholden to a new set of imperial conditions. If this deal with the merchant community would ensure that ship captains still reported their cargoes to his personal revenue collectors, did not try to play them off against the local royal officials, and did not lobby against his charter, then he would have to be satisfied. The message was clearly received and understood within some sections of the colonial community – within a week one of the royal customs collectors petitioned the council for a town officer’s position. He evidently understood that Baltimore’s edict did not represent the end of the town act per se but might presage the end of the face-off between royal and proprietary collectors in the proto-urban spaces. The problem for Baltimore, however, was that in what was now a bitterly divided colony, he could not strip his towns of their local control and political significance and make them naked nodes of proprietary economic oversight without attracting indignation.108

In six month’s time indignation would become outright rebellion, and the first signs of further trouble came in November 1688 when Joseph gathered a new assembly in St. Mary’s. He greeted the delegates with a candid discourse on proprietary rights and absolute royal authority, which finally sat comfortably together, but still sat uncomfortably with his audience. Though he instructed them to concentrate on outlawing bulk tobacco and passing new public morality laws, the lower house quickly asked to study a copy of his recent town proclamation.109 The following day they produced a lengthy enumeration of grievances, in

107 Archives, 8: 42-43, 45-46.  
108 Ibid., 8: 47.  
which the changes to the town plans factored considerably. They complained about the changes on two levels. Firstly, on a constitutional level, they claimed that while Baltimore might overturn their legislation completely, he had no right to pick and choose sections of their acts to enforce on a whim without first obtaining their assent. Here they were making direct reference to his intention to maintain the town act but waive its shipping conditions. Secondly, beneath this procedural question lay a pragmatic economic concern about the control of towns and trade. They asked why Baltimore had not fulfilled his 1685 promise to appoint naval officers in various regions of the colony and simultaneously questioned why his town officers should be allowed to collect their fees if tobacco no longer had to be unloaded in towns. Implied in these complaints was the assembly’s perception that the town acts were being subtly transmuted from urban development plans into an alternative proprietary revenue collection system without their input or assent. These changes were a “great Greivance to the People” and also “of fattall Consequence to their Posterity.”

Although the council did not support such vitriol, they felt a sense of betrayal over Baltimore’s decision too. They attempted to reanimate the economic development agenda by promoting diversification and trying to attract tradespeople and craftsmen to the towns. If the urban spaces could be made to thrive, it might minimise the delegates’ objections over the proprietor’s fees and charges. Also, as the councillors later explained to Baltimore, they were seeking an alternative means of “bringing in of money and tradesmen of all sorts to follow their callings and inhabit the Townes” and thus eventually countering the misgivings of the metropolitan merchant community. On this level the upper chamber saw a measure of success. The assembly not only approved the economic programs during the session but also passed yet another amended town act, adding seven more locations to the list of towns

110 Ibid., 13: 171-73.
(some of which were resurrections of sites that had previously been moved). Such endless additions were, as previously noted, scarcely practical, but in this case they are particularly odd given the lower house’s pessimism about Baltimore’s recent changes to the town plan. The additions suggest either that despite the setbacks there was still enthusiasm for urbanisation among some in the lower house, or that now the sites were just for Baltimore’s revenue collection they saw little reason to inconvenience themselves by limiting them.\textsuperscript{111}

The question of whether Baltimore had the right to amend legislation without assembly assent persisted. The council were unable to grasp the nature of this problem; they informed the lower house that Baltimore “does not intend to disanull the Law but only to dispense with the present Performance of some part of it.”\textsuperscript{112} They were undeniably correct, but that was precisely what angered the lower house most. The constitutional ramifications of Baltimore’s deal with the London tobacco merchants could not easily be dismissed and became one of the key complaints of the Protestant rebels against his charter. The rebels carefully outlined the whole saga in their formal list of justifications:

The Execucon of [the town] Act was soon after by Proclamacon from his Lordship out of England suspended the last year, and all officers Military and Civil severely prohibited executing and inflicting the penaltys of the same. Notwithstanding which suspension being in effect a dissolution and abrogateing of the whole Act, the income of three pence per hoggshhead to the government (by the said Act payable for every hogshead of tobacco exported is carefully exacted & collected. How fa tall and of what pernicious consequence that unlimited and arbitary pretended authority may be to the Inhabitants, is too apparent, but by considering that by the same reason all the use of the laws whereby our liberties and properties subsiste are subject to the same arbitary disposition, and if timely remedy be not had must stand or fall according to his Lordshipps good will and pleasure.\textsuperscript{113}

This is not to suggest that the changes in the town act alone were the spark that ignited revolution in Maryland – there was a complex web of economic, diplomatic, and politico-

\textsuperscript{112} Ibid., 13: 203
\textsuperscript{113} Ibid., 8: 103.
religious causes. However, the long-overlooked dispute over the political and economic control of new towns greatly helped the rebels in their effort to portray Baltimore as an arbitrary, unconstitutional ruler in the mould of James II.

With precious few houses and oft-reluctant commissioners, it may seem surprising that the colony’s towns played any role in the rebellion beyond these constitutional niceties. But however scant towns might have been overall, by 1689 a number of them had developed one of two key sites: a county courthouse or an ordinary. The former was obviously a site of politics and conversation, and the latter was an equally vital (if informal) locale for news and gossip. During the winter of 1688-89, these spaces were filled with people discoursing on the revolution in England and plotting Baltimore’s ouster. But because towns were such an ambiguous source of political authority in Maryland and England by this point, contemporaries often located these courts and taverns within an explicitly named town.

Before the rebellion began in earnest, men gathered at the town sites to discuss rumours of Indian attacks and popish conspiracies. In March, the council heard from John Atkey who had overheard “at the house of Mr John Broome in Calverton” that Henry Darnall had hired the “Indians of the Easterne shoare ... to fight against the English.” Some months later, strident Baltimore loyalist Richard Hill had an altercation at the August court session in Ann Arundel County, and witness accounts of the incident particularly noted that the events had played out “at London Towne,” one of the new towns founded in the county. Being at the heart of these information networks made towns and townspeople vitally important to political mobilisation throughout 1689. In Dorchester County one of the representatives in the rebel assembly of 1689 was Thomas Cooke, an

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114 Ibid., 8:71.
115 The courthouse for Ann Arundel had recently been moved to London Towne following a period of perigrination arising from the literal collapse of the previous courthouse in 1683. See Morris L. Radoff, *The County Courthouses and Records of Maryland, Part One: The Courthouses* (Annapolis, Md., 1960), 9-11; *Archives*, 8:196.
ordinary keeper and merchant who lived in the new town of Cambridge. Cooke had never held any public office before the revolution, but he had probably hosted political discussions at his proto-urban hostelry and was well placed to win public support.116

But Maryland’s towns were more than just communication hubs. Some began to adopt the civic role that had made their planning so contentious. Angry colonists in several counties purposefully gathered in these towns to express their political opinions through crowd action. In March of 1689, the sheriff of Charles County, Robert Doyne, was met by “much Company” who had gathered at the “head of Portobucco,” where Charles Town had been laid out. The company publicly presented an epistle to Doyne, which he dutifully forwarded to the council. Later that year, when the proprietor’s men had lost control of the colony and the Protestant Associators began sending word out to the counties about the successful usurpation, crowds again gathered in the colony’s new towns. In Talbot County, proprietary loyalist Peter Sayer witnessed such a gathering at the newly appointed courthouse town of York, describing it as a “poor silly mobile.” A few weeks later, Sayer rode down to Oxford, at the southern end of the county, to meet “our Burgesses,” who had been called to theAssociators’ Convention at St. Mary’s City and were “just then takeing boat.” Crowded along the quayside of the young town was “a great Company of people” who had gathered to see them off.117 Not all the colony’s civic spaces fell under rebel control, though. In Somerset County opposition to Baltimore’s usurpation was voiced in Snow Hill, where William Whittington, the former county sheriff, publicly read letters from the deposed council. There were undoubtedly many meetings and musters at private plantations across

116 Cambridge may have been particularly divided, because the town officer, Thomas Taylor, was removed from all county offices when the rebels took control. This probably created a political opening for Cooke. See Carr, Maryland’s Revolution, 249; Lois Carr research notes, Maryland Hall of Records, Annapolis, Md.
117 Archives, 8: 76, 158-62. Oxford was already a developing port community by the time of the revolution and nearly half of the town lots there had been sold during the previous four years, see Joseph Brown Thomas, “Small-Scale Settlement Development on Maryland’s Eastern Shore, 1680s-1730s,” (M.A. Thesis, University of Maryland, 1990).
the colony, but the new towns whose civic status had been contested over the past decade quickly became key sites of public political action when the rebellion began.118

By the time the Protestant faction had taken control of the colony, some towns had become centres of power for either pro- or anti-Baltimore leaders in the community. In the late summer of 1689, after calling a colony-wide convention, the Associators began tackling opponents, taking a particularly hard line with three proprietary loyalists in Calvert County, Michael Tancey, Richard Smith, and Cecilius Butler (two of whom were town officers for the county). They arrested these men and handed them over to Philip Lynes, a leading rebel from Charles County. It made sense to move prominent opponents away from their home county, where they might have garnered support, but it was a curious decision to house them in Charles County rather than St. Mary’s, where the rebels were now firmly in control. The letters that the prisoners penned from custody shed some light on the situation. They identified their prison not only as “the house of Philip Lynes” but also as “Charles Towne.” In other words they defined their captivity not by a private residence but by a public civic space under rebel control. Lynes ran the ordinary next to the Charles County courthouse, and although this landlocked site had not been designated an official town, it was probably the location to which the prisoners were referring.119 He had long struggled with Charles County sheriff Robert Doyne and may have been partially responsible for the previously noted opposition to town building in that county, and he had taken over the ordinary with the help of the county justices after a bitter contest with the previous innkeeper.120 In the context of the revolution, then, Lynes took full control of the courthouse site and embraced

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120 *Archives*, 5: 474-75.
the civic regalia of “Charles Towne” for a place that had not even won that right during the recent urbanisation debates. It was fitting that two men who played a prominent role in proprietary town establishments in wealthier Calvert County were held in captivity under Lynes’s quasi-urban authority, and were even prepared to identify the site as a town in rebellion when writing to London. Political activity was given an urban locus even if the site itself consisted of a couple of wooden shacks huddled in a forest clearing.121

On the opposite extreme of Maryland’s political divide lay the town of Oxford, in Talbot County on the Eastern Shore, which had seen some of the most impressive urban developments in the entire colony in response to the foregoing legislation. Although Peter Sayer had encountered a crowd of Protestant supporters who were there to see off the county’s delegation to St. Mary’s in 1689, within a couple of years a nucleus of Baltimore loyalists – some with Irish Catholic backgrounds – had taken control of the infant town. Sayer came and went from Oxford frequently during these years, and when he rode into town in the spring of 1693 he left another mark on the historical record. During a gathering in the town at the house of John Pope, Sayer and his friends questioned William and Mary’s claim to the English throne, royal governor Lionel Copley’s right to rule in Maryland, and the trustworthiness of members of the Church of England “who were the worst of all the Separatists from the Church of Rome” and “heretick Dogs” more offensive to God than “the Turkish Religion.” The bitter divisions of the revolution had evidently made Oxford a site where such opinions could be expressed. Immediately upon Governor Copley’s arrival in the colony in 1692, the residents of Oxford had petitioned for a civic charter to cut themselves off from the rest of Talbot County, which had supported the revolution. The dispute over Oxford’s status would continue for nearly a decade and become entangled in

121 A map of the Charles County courthouse site that was produced in 1697 is reproduced in Shomette, Last Towns, 199.
Francis Nicholson’s plans for the colony’s towns, but it was rooted in the politicisation of urban space that had emerged in the 1680s and hardened during the revolutionary years.122

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In 1678 Lord Baltimore, having just inherited the proprietorship, had written off the chance of cajoling his colonists into towns. Less than fifteen years later, the citizens of Oxford were appealing for powers as a self-governing corporation. That amounted to considerable urban development for Maryland in the 1680s. But by sheer economic metrics towns had failed to gain any kind of momentum, and the persistently depressed tobacco trade still flowed through private plantation wharfs. The key to understanding this curious contradiction is not to judge the town-building effort simply by counting houses, lot sales, or commodity prices. Baltimore and his council were attempting to foster urban communities in a context of divisive internal tensions and dramatic imperial developments. Though the plans began as an economic stimulus, they could not help but become so much more.

The urban project in the 1680s was undeniably more economically driven than the earlier developments at St. Mary’s City. The proprietor’s council had proclaimed that towns could help to “manage” the trade. But this inevitably begged the question of who was going to “manage” the towns. In England the control of trade through towns had traditionally been under the aegis of civic corporations, but increasingly the Restoration monarchs, with the help of the Commissioners of Customs, were infringing on that power.123 Which model would Maryland follow if towns really were to take on this managerial role? The lower house advocated communities largely outside Baltimore’s direct control and beholden to the interests of the county communities. The proprietor and his council sought communities more closely tied to them – particularly after they established the network of town officers.

122 Archive, 8: 560-61, 13: 343-44; for the development of Oxford, see Thomas, “Small-Scale Settlement.”
These transatlantic questions played into both a nexus of anxieties that local county leaders harboured about the proprietor’s prerogative powers and Baltimore’s own concern about the rise of over-mighty imperial bureaucrats. As a result the legislative debates and standoffs that ensued whenever urbanisation was discussed did not simply reflect colonists’ luddite mentality about economic innovation or their short-term interest in securing economic advantage. They were symptoms of the fact that control of towns fit neatly within the discourse of political authority in Baltimore’s Maryland, into the tug-of-war between county elites claiming the rights of Englishmen and a proprietor defending his charter privileges.

The proliferation of town sites in the colony – which was far more extensive than in Virginia – was largely the result of a tradeoff solution to this economic and constitutional dispute. Although increasing the number of sites diluted the project’s economic efficacy, the lists of new locations and assembly input over the selection of sites were essential to encourage participation and calm fears of proprietary monopoly. Towns were framed as natural outgrowths of local communities, founded for the public good, and as a result Maryland’s council never had the political justification that Whitehall imperialists did for dismissing the wanton increase in sites. The metropolitan world of mercantile controls and economic calculations, though, could not be held at bay. Baltimore had to address tobacco merchants’ concerns and perpetually justify his charter rights in the capital whilst his town plans in the colony attempted to sideline imperial oversight. Ultimately, in an effort to retain personal control over the revenue potential of urban spaces, he was forced to make adjustments to the carefully negotiated colonial compromise from his desk in London. This could only hurt his rapidly declining relationship with colonial leaders who were still suspicious of the political power of towns. But the seemingly endless disputes meant that towns had become emblematic of the battle over local authority in Maryland, and therefore
they became contested sites of conversations, confrontations, and crowds during the ensuing upheaval. Their economic role may still have been marginal, but their political importance resounded into the coming era of royal administration.

Local colonial leaders familiar with fighting Baltimore for control of the town-building agenda would find direct imperial authority to be a very different beast. They had been able to contest the proprietor’s prerogative powers over urban development, play him off against merchants and customs collectors, or simply ignore the political pretensions of his urban design at St. Mary’s. These were never luxuries that Virginians had enjoyed. With the arrival of Francis Nicholson, Maryland colonists would encounter a determined and coherent urban vision, drawn from the most recent experiences of the mother country. Under royal authority Maryland would share the trials of its southern neighbour, negotiating an urban landscape in an expanding system of empire and commerce.
Part Three

Empire, Community, and the City in the Chesapeake, 1689-1710

Standing in the middle of the recently laid out Duke of Gloucester Street, in the newly christened city of Williamsburg, during the summer of 1703, the Crown’s Surveyor General of Customs, Robert Quarry, could look to his left and his right and see a handful of newly marked town lots being cleared. The sounds of wood being sawn and frames being nailed together marked the beginnings of a grand new urban design. Before him stood the catalyst for these busy construction efforts: the mighty brick edifice of Virginia’s new Capitol. It was an assembly chamber and government office rolled into one fine new structure, and the decision to build it at Middle Plantation, halfway between the James and York rivers, and just over a mile from the College of William and Mary, had inspired the birth of this new capital city. Quarry paused for a moment, contemplating the new structure, and began to think about the whole of English America – the extent and control of crown dominion in a new century and the governance of this now-disparate population. He wrote to his superiors in London to reassure them that the building was practically complete and that:

I never saw a better structure for ye bigness of it in my life, both in respect of ye materials, ye beauty and prospect of it, the design and contrivance of it, which will effectually answer all ye ends proposed by it, the Courts of Judicature, the sitting of ye Council and Assembly, and all of publick Offices of the Governmt. The People are extremly pleased with it as being an ornamt and honr to ye Country.\(^1\)

Three things bear noting about Quarry’s assessment. First, a grand and imposing public building was to be the heart of this new city – it was the only part of it that Quarry bothered to report to London about. Second, he laid particular emphasis on how the new structure would assist with the further organization and administration of the colony, which had long

\(^1\) CO 323/5, f. 50-56.
been a dream of Whitehall officials. Finally, Quarry also made a particular point of emphasizing how popular the building was. To achieve its full potential, the new city must evidently win the approval and appreciation of the colonial population.

Quarry’s effusive acclaim for Williamsburg was rooted in the political philosophy he shared with the city’s architect, Francis Nicholson. His praise reflected the kind of city that Nicholson hoped to create—a grand capital that would centralize imperial administration but also cement the loyalty of ordinary planters toward the empire. Williamsburg was not alone. During the 1690s Nicholson established two other such cities, at Annapolis and Williamstadt in Maryland. Together these cities represented a dramatic new interjection in the debate about urban form and function in the Chesapeake and within the empire more generally.

Because Williamsburg and Annapolis later became centres of polite gentry sociability, it is tempting to see them as a new urban form, designed in that way from the very outset. Nicholson appears to have been working with the Chesapeake elite in developing grand plans, drawing on baroque ideals and the reflecting the new gentry-inspired provincial towns of England. In this version of the story, the new governor merely provided the specific ideas and energy to articulate an increasingly unified elite vision of urbanity in the colonies.²

But that is not how the new cities appeared to all who looked upon them at the time. Robert Beverley, writing his history of Virginia within a few months of Quarry’s letter, called Williamsburg an “imaginary city” and poked fun at Nicholson’s urbanity. In fact, Quarry’s

florid praise for Williamsburg was an attempt to defend Nicholson from a range of similar criticisms levelled at him by members of the Virginia elite. Opinion about Nicholson’s cities was a product of the politics of the age. Far from being a halcyon moment of urban design, the late 1690s and early 1700s saw virulent political division, both in the Chesapeake and in Whitehall, over the future of the colonies. In London, in the aftermath of the Glorious Revolution, officials set to work dismantling the absolutist imperial system James II had established, but they could not agree on what to replace it with. As a result, Whitehall could offer no definitive instructions on urban development. Leadership in the colonies proved unable to capitalize on this opportunity, though, because of increasing divisions amongst the county elites. Chapter six will chart how, in this moment of indecision on both sides of the Atlantic, Nicholson took the initiative and radically reframed the debate, using his political will and his own money to christen three new imperial towns. In the process, however, he worsened the divides within Chesapeake society and made Williamsburg and Annapolis locales of political conflict.

Nicholson’s efforts ensured that town building remained a key part of the political conflict in the Chesapeake during this era. In the shape of his new cities, Nicholson posed a very different challenge to the colonial elite than Effingham and Baltimore had done during the 1680s because he consciously used money and architecture to create concrete civic spaces and actively sought to utilize them. The political connotations of his actions were not subtle, and he never sought to balance the interests of planters, leadership, and merchants – he simply pulled the colonies along by the strength of his will. Through a series of alliances he sold a range of colonists on his urban projects, but he only gradually revealed the broader implications of his baroque streets and public buildings – a new populism that tied ordinary

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colonists to the machinery of empire directly through him. Throughout his tenure in both colonies he remained convinced that the region suffered under a debilitating "looseness" that rendered it less easily governed and less useful to the crown.⁴

These bold attempts to impose himself on the local political structure meant that the debate over towns, empire, and political authority remained virulent, when local divisions in the Chesapeake, and imperial misgivings in London, might otherwise have eclipsed the project. The changing nature of elite authority in Virginia, which has been the focus of scholarly debate, was shaped in reaction to Nicholson’s policies and particularly to his urban designs.⁵ Chapter seven will consider how renewed town legislation after Nicholson’s departure from the region, which called for numerous new urban foundations and the most complex corporate structures ever proposed, was a direct response to his imperial urban ideals, and a crucial step for the tidewater elite in negotiating their place within the empire.

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⁴ For the best example of Nicholson’s rhetoric of "looseness," see Archives, 23: 491.
Chapter Six

Building the Imperial City: Francis Nicholson and Chesapeake Urbanity, 1690-1705

The Glorious Revolution reverberated around the English Atlantic world. Its tremors were felt more severely in Maryland than its cousin to the south, but the imperial disjunction had consequences for both colonies. In Maryland, the “Protestant Associators” held sway until 1692, when the colony’s first crown governor, Lionel Copley, arrived. Virginia remained without a governor for a shorter spell; Effingham left for England in the spring of 1689 and authorities dispatched Francis Nicholson as his deputy by April 1690. In this new context, with Nicholson and Copley at the helms, both colonies contemplated renewed town development with new aspirations and expectations, but also new problems and constraints.¹

Upheaval in England allowed both colonies to seize back some of the authority they had lost over the preceding decade. In Virginia, Effingham’s dismissive attitude toward town-building during his final years had angered local leaders, and his departure offered a new opportunity. As soon as Nicholson called an assembly, the burgesses proposed a new urban plan. The council wrote to Whitehall celebrating the fact that under Nicholson they had been able to renew town-building that (they felt) served the interests of both crown and colony in a new imperial era.² In Maryland, new opportunities seemed even more significant because the ouster of Lord Baltimore promised a more radical change in local government. The men who had risen to dominance as Protestant Associators hoped to consolidate their positions, but proprietary loyalists were also actively seeking to “win the peace” by 1692. The situation was particularly stark in Talbot County. In the autumn of 1692 riots broke out at

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¹ For the revolution in Maryland, see Lois Green Carr and David W. Jordan, Maryland’s Revolution of Government, 1689-1692 (Ithaca, 1974), passim. For Effingham’s departure from Virginia, see Warren M. Billings, Virginia’s Viceroy: Their Majesties Governor General Francis Howard, Baron Howard of Effingham (Fairfax, Va., 1991), chap. 9.
the courthouse and at the small port town of Oxford, a network of merchants previously loyal to Baltimore sought to separate themselves from county authorities by petitioning for an independent corporation. Across both colonies these protests bore witness to the new sense of opportunity; the revolution had demonstrated the role of political topography and towns, and a new royal government promised the chance to petition once again for urban charters and changes in boundary lines that might tip the balance of power in one’s favour.3

The Glorious Revolution also inspired new imperial motives for urban development in the Chesapeake. In the first place, the revolution thrust England into a major European war. The threat of attacks on the Chesapeake during the early 1690s concentrated the minds of officials on the questions of defence. Upon his arrival in Virginia, Nicholson surveyed the colony’s fortifications and concluded that Virginians were especially vulnerable, “not living together in Towns as other places doe.” Once imperial officials took over in Maryland, they came to the same conclusion, fearing not only attacks from the bay but also French activity in the Ohio region.4 The lack of towns also exposed the tobacco fleet to more danger than most of England’s other commercial connections. As early as 1689 the Virginia council instituted convoy plans for the tobacco fleet to minimize the chances of attack at sea; all the shipping in the lower bay was to sail as a convoy under armed escort from Point Comfort. The convoy system took hold of the tobacco trade for the next two decades and the fact that ships had to amble up the rivers stopping to collect odd hogsheads at every private wharf was distinctly unhelpful, and centralizing trade in towns seemed even more vital.5 Finally,

4. CO 5/1305, f. 158; CO 5/713, f. 304-05. When negotiating with the burgesses over the town act of 1691, Nicholson insisted that shipping be restricted only to sites that could be heavily fortified. See JJC, 1: 138-40.
5. JJC, 1: 103. For the convoy system, see Douglas Bradburn, “The Visible Fist: The Chesapeake Tobacco Trade in War and the Purpose of Empire, 1690-1715,” WMQ, 3d ser., 68, no. 3 (July 2011): 361-86. A number of council members were advocates of urban development and the convoy system, and clearly saw connections between these two innovations, but Bradburn’s valorisation of the council discounts the fact that Nicholson took a particular interest in the convoy system, the speed of its turnaround, and its safety whilst in the bay.
there was also increased danger of piracy for both ships and settlements. Pirates had been a problem during the 1680s, but the 1690s saw authorities in England attempt to clamp down with renewed zeal, which also helped to focus attention on how shipping was organized and ordered through ports across the Atlantic world. Nicholson believed that pirates operated in the bay because there were “no places to secure shipp.” Towns might offer a base for the naval officers he saw as vital to solving the piracy problem. Urbanizing the Chesapeake also promised to diminish the growing influence of Philadelphia – a colonial town seen as thoroughly under the control of pirates. Nicholson and Robert Quarry wrote repeatedly about piratical activity in Philadelphia, suggesting that the city provided an unsavoury model of urbanity to Chesapeake planters. Quarry noted that colonists, “observing the Advantages [Philadelphians] reap by their Manufacturing handycrafts and illegall way of trading are encouraged to doe the same in their Provinces.” The war thus forced imperial officials to think again about the need for, and purpose of, Chesapeake urban development.  

The fiscal burdens of major conflict in Europe also made the new administration just as eager to secure revenue as its predecessors. Whitehall officials quickly began investigating the customs collection system in Maryland after bringing it under royal control. They also concluded that bulk tobacco (leaves not packaged in hogshead barrels) was driving down prices and revenue, and saw towns as a means of policing a ban on bulk exports. Officials were certainly conscious of the fiscal advantages renewed urbanization might offer the empire.  

Leaders in both colonies were particularly asked to investigate the production of naval

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7 Steve Pincus has recently demonstrated that the Glorious Revolution reinforced state building in England, see Steve Pincus, 1688: The First Modern Revolution (New Haven, Conn., 2009), chap. 12; Blathwayt’s letters to Maryland in 1692 can be found in William Blathwayt Papers, Colonial Williamsburg, vol. 18, folder 6; CO 5/1306, f. 384-97; CO 324/24, f. 19-20; Archives, 23: 86. For the fight over bulk tobacco in the 1680s, see Billings, Virginia’s Viceroy, 88-92; JHB, 2: 296-330.
stores, but they rarely connected this plan with town building. Shipbuilding, particularly in Maryland, did spur town development, but again it was never explicitly seen as urban by the imperial officials who nudged shipwrights into business. Other kinds of diversification were treated more cautiously. Although England’s mercantilist economic policy was partly relaxed in the early 1690s, a full scale reevaluation remained on hold until the middle of the decade. In 1692 new Virginia governor Sir Edmund Andros was told to encourage diversification, but Francis Nicholson evidently picked up a very different mood during his brief sojourns in England in the early 1690s because he launched a concerted campaign against linen and woollen manufacturcs. This uncertainty about diversification complicated and confused, but also sustained, the town-building debate on both sides of the Atlantic.

Francis Nicholson’s ideas and attitudes were a testament to the new realities of the 1690s and the place of town development within them. He understood the new military and political challenges the English empire faced. He opposed diversification and secured control of shipping, but he also spent more money and energy than any governor – past or future – promoting urban development. The rest of this chapter explores how the new challenges of empire and the concerns of Chesapeake colonists gave rise to Nicholson’s new urban plans, why he was so successful at winning provincial approval for his plans, and why he ultimately failed to build the political and economic consensus that he sought.

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9 The increasingly negative view of diversification in the Chesapeake during James II’s reign can be attributed to the increased duties on tobacco in England, which made it even more profitable to the crown. See CO 5/1357, f. 142-43. For Andros’s instructions, see CO 5/1358, f. 120-39. For Nicholson’s war on diversification and his criticism of Andros, see “Edmund Andros to William Blathwayt, 20th July 1694,” in William Blathwayt Papers, vol. 5: CO 5/713, f. 300-303, 304-5; EJC, 1: 156, 214. For protectionist demands of England’s woollen industry in these years, see a forthcoming article in the William and Mary Quarterly by Jonathan Eacott.
The dissonance between imperial objectives and colonial aspirations in the wake of the Glorious Revolution was evident from the moment the new wave of crown officials sailed into the Chesapeake Bay. The wave consisted of four new appointees: Lionel Copley as governor of Maryland; Thomas Lawrence, secretary of Maryland; Francis Nicholson, who arrived initially as lieutenant governor of Virginia and became governor of Maryland after Copley’s death; and Edmund Andros, appointed governor of Virginia. Three of the four were military men with extensive experience dealing with incorporated urban communities, but in the first few years of the 1690s, they were all forced to confront the existing structure of county government. Nicholson and Lawrence’s attitudes toward the Chesapeake elite and their imperial vision was dramatically different from that of Andros and Copley. To be sure, all four men were obedient servants of the state, but Lawrence and Nicholson took a personal interest in the local organization of colonial society – they sought to become creators and not merely controllers of the Chesapeake landscape and urban agenda.

Nicholson wrote lengthy treatises to London with grand plans and detailed observations, whereas Andros penned cautionary notes explaining why he was not able even to fulfil the requests of Whitehall officials. Through the new Virginia town legislation of 1691 and the battles over county courts and towns in Maryland after 1692, we can follow these men as they laid the groundwork for a new imperial urban vision.10

Nicholson was the first of the four to arrive in the Chesapeake, in the summer of 1690. Forced to flee his post in New York when Jacob Leisler rose in rebellion in 1689,

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Nicholson had tarried in England only briefly before being appointed as lieutenant governor of Virginia under the new English crown. His troubles in New York, where he was ousted by an alliance of middling craftsmen and merchants angered by restrictions on traditional urban privileges, probably made him keenly aware of the dangers implicit in civic politics. He had also witnessed the bitter politics of Boston under the Dominion of New England and had served in the garrisons of English towns (primarily Portsmouth) when James II was attempting to use the army to overpower traditional corporate authority.\(^\text{11}\) Equally, however, he was dispatched with practically the same instructions Effingham had received five years before – to control shipping and encourage towns – accentuated by the wartime concerns already discussed and the earnest desires of Virginians. He set to work immediately crafting a program of reform. Within two months of his arrival, he had travelled across the colony – supervising the tobacco fleet, touring the Eastern Shore counties, and viewing the contested boundary with North Carolina. He also gathered detailed reports from all of the colony’s sheriffs in order to get a better picture of the entire region. Even before he met the assembly, then, it was clear that Nicholson intended to take a hands-on approach to the supervision of local government.\(^\text{12}\)

At the same time, local interest in urban development was evolving in Virginia. Although Effingham had stymied efforts to resurrect town legislation in the late 1680s, some local initiatives had continued. At least eight of the locations planned out in the 1680s had “severall dwelling houses and warehouses built” before 1691. In the summer of 1690, just as


\(^{12}\) For Nicholson’s instructions, see Webb, “Strange Career,” 524, n. 18. For his actions, see *EJC*, 1: 126, 156.
Nicholson arrived, the Middlesex County bench resumed their efforts to relocate the county courthouse to the nascent site of the county’s town against Ralph Wormeley’s wishes – albeit with little success. The justices of Lower Norfolk County appear to have entertained similar aspirations with considerably more success. By May 1691 the justices reported that the “usual place for holding Courts” was “in the Towne of the said County,” and the House of Burgesses received complaints and grievances from “ye Inhabitants of ye Towne in Eliza River.” Colonists had taken advantage of the brief hiatus in imperial control to reignite urban development and bring it squarely to the attention of the provincial government.13

It was not a surprise, therefore, that when Nicholson called the assembly into session in April 1691, the delegates quickly revived urban development plans. The committee for grievances, chaired by Middlesex County town booster Christopher Robinson, surveyed the legislation that had been abandoned in 1688, and quickly recommended that the town act be resurrected.14 The plan was essentially the same as those from the 1680s: it named locations in each county through which all trade would be channelled and laid out how fifty acres at the site should be surveyed, divided up, and sold by selected feoffees. The plan was clearly intended to take advantage of the perceived relaxation of imperial authority under William and Mary and to help county leaders such as Robinson and the men who called themselves “Inhabitants” of Norfolk regain control of their communities. Alongside the new plan for port towns, the burgesses introduced new diversification legislation, suggesting that tobacco prices and economic development were still high on the agenda.15 The stakes involved meant that reviving the town plan was not effortless. With the plan drafted, the burgesses engaged in an unusually lengthy and raucous debate, reflecting the financial and political interest that

13 Hf, 3: 58-60; Middlesex County Court Order Book, vol. 2 (1680-94), f. 474; EJC, 1: 179-80; JHB, 2: 342.
14 Ibid., 2: 337, 341. Robinson had hosted the first meeting about the development of a town in Middlesex County. See Middlesex County Court Order Book, vol. 2, f. 49, 509.
15 Hf, 3: 53-69 (esp. 55-57, 59); for other diversification measures passed in this session, ibid., 3: 50-51, 75-81.
many burgesses had in the plan. It is impossible to know what part of the plan the burgesses fought over, but the amendments they eventually approved imply they were concerned about persistent issues: the ramifications of the act for Jamestown and the loyalty and independence of the officials charged with enforcing restrictions on trade through towns. Thus far, then, the House of Burgesses apparently sought to resurrect the town plan in much the same form that had frustrated and bedevilled Effingham a few years before.\(^\text{16}\)

The serious changes came when the legislation moved to the upper chamber. There the plan was adjusted and remodelled in ways that reflected the new constraints of the era and the imperial philosophy of Francis Nicholson. Under the same pressure as Effingham to reduce the number of locations, Nicholson searched for a compromise. Pleading wartime necessity, he argued that some sites did not allow for “ships and goods ... [to be] Secured at by fortifications.” To satiate the interests of county leaders in these areas, they inverted the semantic hierarchy and suggested these places could be merely “towns” for buying and selling goods, while thirteen supposedly defensible sites would serve as ports. Wromeley, who served on the council, saw to it that the site in Middlesex that he had refused to sell to the county leaders, was quietly demoted to “town” status. Nonetheless, this compromise recognized the importance of town building to the political economy of local communities in Virginia, whilst attempting to safeguard the defensive and mercantile interests of the empire. It was apparently sufficient for the burgesses, since they accepted the two-tier plan for urban development (albeit with the town for Middlesex returned to the rank of “port”).\(^\text{17}\)

Nicholson also sought to strengthen the position of the port collectors who would be under his direct appointment. Considering how much difficulty Effingham encountered in trying to establish a network of town officers, this proposal might have seemed overly

\(^{16}\) The debate was so unruly that one delegate was forced later apologise for his conduct, see \textit{JHB}, 2: 34"-49.

\(^{17}\) \textit{IJC}, 1: 138-39; \textit{HS}, 3: 60.
ambitious, but it offered something Effingham had not been at liberty to – concrete plans to plough the collected revenue back into the colony to fund defence, support the Anglican church, and pay for the establishment of a college. Educational, military, and ecclesiastical projects were to become a hallmark of Nicholson’s tenure in the Chesapeake, so this idea bears his unmistakable fingerprints, but it is vital to appreciate that these projects were – from this very early stage in his career – tied closely with urban development. Ports and towns were no longer simply to serve the private ends of planters or English merchants, or to line the king’s pockets; they were to be anchors for civic institutions and bastions for the defence of the realm. Nicholson made sure he was still responsible for collecting fees and dispersing funds, while allowing the county leaders to administer the sites, thus balancing local and provincial power. In this proposal, which also won the burgesses’ approval, towns would provide the basis for wedding the public good of the colony with the financial good of the imperial state.18

The tradeoff went beyond this single piece of legislation too. During this session Nicholson agreed to a slew of diversification acts, even as he wrote to England outlining the dangers of such production for the empire. He gambled that allowing the measures, “only to please them att present,” would enable him to pass the town act, and he was well aware that the most dangerous measures would be vetoed in London. Scholars have suggested that the town plan itself was also part of Nicholson’s pragmatic move to win popularity, but his subsequent actions belie this interpretation. He genuinely felt he had solved the crown’s revenue and defence problems. “The Act for Ports is agreeable to his Maties Instructions,” Nicholson wrote; “itt will bee for their Matys Interest, & ye great Good of this Country, If any of ye Merchants oppose itt, I humbly move, as in Duty bound, in their Most Sacred

18 JJC, 1: 139; HS, 3: 61-64, 66-67.
Majues behalf, yt wee may bee heard about itt.” The following year, to ensure such a hearing, Nicholson and the burgesses (with only lukewarm support from the wealthiest planters) decided to pay the arch-colonial administrator William Blathwayt to advocate their cause in London, sending him a letter laden with royalist rhetoric explaining that the act “will Tend to the advancement of Religion & Learning, their Mats Interest, the Countreys great advantage & increase of Trade.” Years later, looking back on these events, Nicholson was adamant that he was personally responsible for these developments. They represented his emerging vision of how urbanization could generate loyalty across a broad swath of colonial society.  

Nicholson’s will, however, could not overcome the lingering local tensions that town building laid bare. The burgesses had already spent two days debating the details of the plan (and one delegate felt strongly enough to insist on his dissent being recorded in the minutes). When it came to putting the act into effect, the problems only became worse. In some places there was rapid development, befitting the enthusiasm that had resurrected the issue. Yorktown was surveyed and laid out over the summer of 1691, and thirty-six lots were sold, including three to Nicholson and one each to Councillors Edmund Jennings, William Cole, and even Ralph Wormeley, the stalwart opponent of town building in Middlesex. A number of smaller planters and tradesmen also bought lots, and, all told, sixty-one were sold within a year. In Elizabeth City County, work to lay out Hampton commenced – lots were sold and labour was expended to build a town ditch to symbolically set the new port off from the surrounding farmland. Stafford County justices also jumped into action, laying out a town and selling twenty-seven lots. The residents of Norfolk who had petitioned the burgesses to

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19 CO 5/1306, f. 298-99; JHB, 2: 396, 400-402; CO 5/714, f. 46-51. For diversification measures, see JHB, 3: 50-51, 75-81; for scholarly interpretation of the town act as part of this tradeoff, see John C. Rambolt, From Prescription to Persuasion: The Manipulation of the Eighteenth Century Virginia Economy (Port Washington, N.Y., 1974), 151-54.

20 JHB, 2: 351.
nudge along new town legislation already had the beginnings of a town, but they also got a bevy of new neighbours, with twenty-nine lots sold in the town over the next few years. 21

Elsewhere enthusiasm was stalled by local rivalries. A group of men described as “local freeholders” in the newly created King and Queen County were the most dramatic when they reported that the act had been “obstructed in that Countie through the meanes of some evill minded persons.” King and Queen, as a new county, had not even been allocated a town in the 1691 act but had evidently attempted to establish one. After some investigation the following year, the burgesses discovered that after laying out the town for the county (at modern-day West Point), construction had been stalled by a battle over the deed to the land between the trustees and the landholder, Col. John West. Considering West Point’s strategically and commercially important location, at the juncture of the Pamunkey and Mattaponi Rivers, it is unsurprising that West was not anxious to part with it but these scenes were repeated in other places around the colony too. 22

The issues over town land in Middlesex, which had warranted special emphasis in the act itself, did not go away. Scarcely two months after the legislation was signed, the Middlesex justices met at the town site on the banks of Rosegill Creek; they required Ralph Wormeley to attend so that he could sign over the deed to the site. As one of the colony’s wealthiest planters, Wormeley was disinclined to be ordered about in this fashion; he failed to appear, preferring instead to have the justices come to him. The justices reported that they had visited him and learned that he had no intention of signing the deed. 23

21 Edward M. Riley, “The Founding and Development of Yorktown, Virginia 1691-1781” (Ph.D. diss., University of Southern California, 1942), chap. 3; John Reps, Tidewater Towns, 71-78; Hank Lutton “No Towns of consequence: Contextualizing and Reconsidering Urban Places in the Chesapeake,” a conference paper presented at The Early Chesapeake: Reflections and Projections, Solomon’s Island, Md., Nov. 2009 (Thanks to Hank Lutton for allowing me to cite this paper).

22 JHB, 2: 386, 397; Reps, Tidewater Towns, 79-81.

23 Middlesex County Court Order Books, vol. 2, f. 508-16.
Even in places where the landholder was more amenable, such as York County, the site could still engender resentment and conflict. From 1695 onward rival portions of the York County population petitioned the burgesses over the plan to relocate the courthouse to Yorktown and the burgesses were forced to pass an act specifically mandating the holding of court in Yorktown. In Accomack County, where the courthouse had been located at the town of Onancock, established in 1681, protests by residents distant from town got it relocated. There were also divisions in Isle of Wight County in 1693 because the new town of Patesfield was considered so inconvenient.24

All of these concerns were reflected in the debates of the House of Burgesses over the next few years. Less than a year after the legislation was initially drafted, in April 1692, the burgesses were searching for a “meanes to dishearten & put a Stop to the discouragers” who spoke against the plan. They sought Nicholson’s assistance in promoting the plan and securing its approval in London, clearly recognizing that without confirmation of the law, doubters could continue to undermine its force. There were even doubters amongst the colony’s council because they initially rejected the burgesses’ appeal to Whitehall about the act; some councillors who had bought town lots in Yorktown were also defaulted on their purchases for failing to build on their lots. Their misgivings were ultimately overpowered by Nicholson’s continued commitment to urban development – he wrote to London in the spring of 1692, confident that towns were to be built and anxious for official assistance in his efforts to break the monopoly of the wealthiest planters who were restricting the tobacco

trade. The changing mood of the colony did not reflect a decline in Nicholson's enthusiasm so much as fears amongst the local elite about the political and economic impact of towns.\textsuperscript{25}

Unbeknownst to the burgesses, officials in the metropolis had already studied and debated the new legislation. The London merchants who dominated the tobacco trade and convoy systems during these years had made clear their objections to the plan, implying to officials that little work had been done to develop the sites despite news from the colony of rapid land sales and construction. The Customs Commission advised that while "a more Regular settlement & Cohabitation, is a very desireable work, And fit to be Encouraged ... it seems to us unreasonable to Compel the Inhabitants & Planters to bring downe their Goods, before there are places Convenient for their Reception and Security." They decided that restrictions on all buying and selling of goods would be harmful to the commercial flexibility of merchants but that a revised act forcing imports and exports to be registered at specified wharves was vital to crown interest. They advised that the colony's "Principal Inhabitants," in collusion with merchant interests, should be pushed to rework the act to these mercantile ends. Despite other changes in London, the customs office and the merchant community remained tightly bound together, and their vision of a commercial urban plan still held sway. It was a blow to Nicholson's civic vision of learning, faith, and defence, and he knew as much; he wrote to London in July 1692, saying that reports "by Severall Persons Resideing or Inhabiting in ye Citty of London ... pretend great Creditt is given to them by ye Comissioners of their Maties Customes & others. That the Acts Of ye Assembly of this Country are of noe force above one year after ye Date."\textsuperscript{26}


These reports played into the hands of the act’s opponents in the colony, especially after Nicholson was replaced in the autumn of 1692. His successor, Sir Edmund Andros, arrived with a clear sense of the commissioners’ vision. During the Glorious Revolution Andros had struggled against the colonial city of Boston, and during his time in New York he had been responsible for narrowing the city’s leadership. He therefore had no qualms about a mercantile alliance with the “Principal Inhabitants.” As soon as he arrived in the colony, he wrote to Blathwayt that little had been done to develop towns and that all the men of “good repute” hoped the act would be overturned. By January he was able to send more details about a ship that had arrived in the Rappahannock River but “the Act for Towns and Ports being in force she intends for Maryland.” Unsurprisingly, such negative details had been strategically passed on to him by none other than Ralph Wormeley.

When Andros gathered his first assembly the following spring, opponents of the legislation (which was to have gone into effect in October 1692) claimed it was “a generall Grievance.” It was suspended in anticipation of the royal rejection, though it took a further six months for official confirmation to arrive. When Andros then recalled the burgesses, in hopes of passing a new narrower version of the act, he met with flat refusal. The burgesses claimed that it was “very burthensome & inconvenient.” Tellingly, the wealthy councillors who had expressed doubts about renewing the appeal for towns under Nicholson were now avid supporters of a trimmed-down plan for wharves and warehousing facilities that might cement the ties between themselves and the leading merchants; they again employed royalist

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language, claiming that rejection of an act that the crown had largely approved of would “defeat us of the kindness intended by his Majesty,” but their entreaties were to no avail.\footnote{JHB, 2: 423, 450, 456-57, 470-71, 481; EJC, 1: 296-97, 306.}

Ostensibly Andros and the council remained in favour of towns for customs and trade purposes, but they refused to prod the burgesses as Effingham had done during the 1680s. The governor merely relayed the burgesses’ objections to London and opined that he was powerless to change their minds. He even cited his reluctance to force the town bill on them as evidence of royal generosity. Both he and the council made clear they were only concerned with the prevention of illegal trade – the language of learning, defence, and governance that Nicholson had woven into the 1691 plan had been totally stripped away.\footnote{“Sir Edmund Andros to William Blathwayt, Oct. 23rd 1693,” Blathwayt Papers, vol. 3, Colonial Williamsburg; “Sir Edmund Andros to William Blathwayt, Jan. 5th 1693/4,” ibid.; JHB, 3: 93; EJC, 1: 385.}

The new regime in England, the increasing organization of the tobacco trade, and Nicholson’s promise of royal support for a grand civic endeavour convinced some planters that investing in town land was a good idea. More people spent more time, energy, and tobacco responding to the 1691 act than they had done in the 1680s. However, fault lines grew wider as Nicholson placed more emphasis on the governmental and civic purposes of town development, encouraging the construction of courthouses and churches as well as tobacco barns. Those unprepared to see the flow of political and economic power pass them by were vocal in their opposition, stymieing further development. The division was laid bare in 1695 when the Princess Anne County delegation proposed another town act and the chamber declared that “in as much as Several Counties desired the Contrary, no debate or proceedings be had therein.” Yet, even though debate in Virginia reached a stalemate under Andros, Nicholson was on the move to his new government in Maryland. He took stock of political realities and what he saw as the narrow self-interest of factions within local colonial
communities. From his new province, he wrote despairingly about the attitudes of Virginians and adapted his ideas about urbanity while reapplying them to the northern end of the bay.  

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Political and economic circumstances in Maryland in the early 1690s differed from those in Virginia in important ways. Firstly, the colony remained bitterly divided over the recent revolution. Many of Lord Baltimore’s former supporters were sidelined. Secondly, Maryland was more economically handicapped by the new era of war and empire. Lying further from the mouth of the bay, the colony could not control the organization of the shipping convoys that became central to the trade – Maryland trading vessels were simply told when to report to Virginia for departures to England. These troubles were accentuated by wartime changes in tobacco prices. While the sweet-scented tobacco grown in parts of Virginia was consumed in England, Maryland’s Oronoco tobacco was mostly reexported to Continental markets that were shut down by war. The 1690s thus saw a widening gap between the profit margins on the two varieties of tobacco. Though Virginia hardly flourished in the 1690s, Maryland’s economic problems were far worse. Whitehall, however, was increasingly eager to construct a uniform policy for the two colonies. The instructions issued to Maryland’s first royal governor, Lionel Copley, reflected these intentions through strict details about the fees to be collected, as well as orders that he appoint ports for the loading and unloading of goods.

Copley had extensive urban experience, having commanded the military garrison in the English city of Hull during the 1680s, and he had been instrumental in delivering Hull

30 JHB, 3: 11; CO 5/714, f. 46-51.
32 Archives, 8: 271-78; Edward Randolph, newly recommissioned as surveyor of customs for the American colonies, was to ensure that these plans were put into action in Maryland, see Michael G. Hall, Edward Randolph and the American Colonies, 1676-1703 (Chapel Hill, N.C., 1960), chap. 6 (esp. 138).
safely to William and Mary at the Glorious Revolution. But, when he arrived in Maryland it quickly became clear that he had no intention of reorganizing the colony’s institutional structure along the lines Whitehall intended. Almost immediately he began violating his instructions, cultivating ties with prominent leaders of the rebellion, and trying to maximize his own profit. He therefore proved less than eager to unseat county justices or customs officers who would agree to his financial demands. Most local officials kept their positions while supporters of Lord Baltimore were rooted out. When Copley gathered a new assembly in May 1692, they gratefully voted him increased financial emoluments (some of which belonged to other officials), but in return they secured increased independence and authority and limited the tenure of appointed officials. They capped off their efforts to reinforce the power of their positions on local county benches by suggesting that in return for their loyalty to William and Mary, they might “have an Escutcheon & Seal with his Majestys Coat of Arms thereon belonging to it” to directly tie them to royal sanction.3

Town development was not neglected during the session though. In fact, revision of the colony’s legal code, which was undertaken to establish royal control, threw the issue up for debate. The lower chamber sought simply to continue the broad and locally controlled provisions of Lord Baltimore’s most recent town act minus his subsequent imposition of town officers. Copley and his allies on the council quickly rejected this idea. Although happy to violate other royal orders, they may have thought that continuing pieces of proprietary legislation would arouse anger in Whitehall, especially given Copley’s orders about ports. However, they also likely distrusted the town plan from the 1680s because of the threat it

posed to their control of the trade and revenue. In some counties Copley and his new allies had a tenuous grip on power and embarking on reorganization and town building at this stage risked rocking the boat. If they needed any further confirmation of this, they need only have looked to the petition from the pro-Baltimore merchants of the town of Oxford during the same session, requesting that it be made an independent corporation.  

But questions of local control and empire did not dissipate for Copley. He was challenged by two other imperial officials who brought very different ideas about how the new imperial system was to deal with the disparate communities of the upper Chesapeake. The first was the Surveyor General of Customs, Edward Randolph, who arrived in Maryland during the summer of 1692. A friend of William Blathwayt and fellow veteran of James II’s imperial administration, he brought the same verve to his first post-revolution position. Noting the illegal dealings, corruption, and mismanagement of Copley’s first few months in power, he wrote to Whitehall lambasting the new governor. Disparaging the administration of the local elites in whom Copley had placed his trust, Randolph recommended that men be sent from England to oversee trade in Maryland, and that they be placed under his control. In the meantime he toured the colony and dropped in unannounced on the collectors of the various regions, demanding to see their paperwork and quizzing ship captains. During the autumn of 1692, Copley began putting together a case against Randolph, resting on his supposed Jacobite leanings and the following spring he had him arrested. Randolph fled to Virginia, where he remained long enough to peruse the Customs Commission’s report advocating new imperial town development in both colonies; he became frustrated by

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34 Archives, 13: 331, 341, 343-44.
Andros’s inability to get a new town plan passed in Virginia and no doubt appreciated its potential to break Copley’s power further up the bay.  

Copley’s more persistent rival in the colony was Sir Thomas Lawrence, an English gentleman who had secured the profitable position of colonial secretary at the same time Copley won the governorship. The two men were supposed to leave England together in the autumn of 1691, but persistent quarrelling between them over their rights to various fees and government incomes led Lawrence to delay his departure rather than spend months with Copley in the bowels of a ship. By the time Lawrence arrived in the late summer of 1692, Copley had already taken the initiative in reinforcing local political relationships and securing revenue. The governor blocked all Lawrence’s attempts to take up the responsibilities of his office and searched for grounds to arrest him. Lawrence did not pose a threat to commercial deals in the way that Randolph did, but his office as secretary entitled him to appoint the clerks of county courts, offices which could be sold or used as patronage to shape the political landscape of counties. Having been deprived by Copley of other revenue sources, Lawrence set about replacing county clerks in order to extract fees from the new placemen. This impolitic move, which infuriate Copley and his allies further, was grounded in avarice, but it also reflected an alternate vision of how local government was to interact with the new imperial system. Lawrence intended to place county courts under closer scrutiny; he noted to Whitehall that a number of the men he turned out lacked the education to provide accurate records. Tellingly, one of his first actions (and the one that led to Copley’s case against him) was refusing to issue the royal seals that the assembly had decided to endow each county


with. Although his opinions left him languishing in jail, the new secretary was not far wrong in his assessments either; some colonists had also begun to complain about Copley and his allies—particularly in the town of Oxford, which had recently petitioned for self-government. It was not his role to push for new town-building legislation, but Lawrence saw himself as a lynchpin between local government and the imperial state, and his plight during 1693 remained a nagging reminder that all was not right with that relationship.9

With Lawrence safely ensconced in jail and Randolph having fled the colony, Copley had won the battle of wills with his fellow imperial officials. A few short months later, however, the ailing governor lost his most serious battle: against the oppressive Chesapeake pathogens. He died in September 1693, and his leading ally Nehemiah Blakiston followed him to the grave a month later. For nine months the colony limped along in dire financial straits and without firm leadership as Copley’s former allies fought with Lawrence and Virginia governor Edmund Andros. The hiatus exacerbated the problems of local authority. The council could not agree with Randolph on new customs collectors, or with Lawrence on new sheriffs. Under these circumstances, less than a year removed from his stint in Virginia, Francis Nicholson returned to the Chesapeake as governor of Maryland in July 1694.38

Nicholson immediately regained control of the confused local government structure. He approved new sheriff appointments, and within a few days he began a comprehensive effort to ascertain the “State of the constitution of the Government of Maryland” in all “Ecclesiastical, Civill & Military Affairs.” He demanded that each newly appointed sheriff gather, collate, and return details about their county’s military strength, local government,

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parish structures, and population. It made sense to attempt to impose this kind of oversight on a colony that had been in turmoil for the last decade, but this was no temporary measure: it represented a concerted policy to involve the imperial state in local affairs and keep track of details of local demographics, economics, and defence. Rather than declining through Nicholson's tenure in Maryland, the demands for information expanded to encompass the finer points of the parish church-building process and a more finely grained demographic analysis. He ordered that county courts begin meeting on a regular schedule, that county militias form organized units, and that the colony be quickly divided into parishes.39 Writing to Whitehall soon after his arrival, Nicholson echoed Lawrence and Randolph's complaints about the leading colonists who were restricting the tobacco trade, thus worsening the depression and driving poor colonists to either emigrate or diversify into linens and woollens that would compete with England. Within days of arriving, he had been forced to confront a Somerset County petition claiming that the local justices were restructuring the geographic order of the county by shifting the courthouse, and a few months later he received similar complaints from Baltimore County. Nicholson believed better oversight would address such local mismanagement in the interests of the crown and also the many middling planters.40

There was, however, a crucial second part to Nicholson's new regime. Within weeks of arriving, he began touring the colony like no governor before him. Over the next four years, he made frequent visits to every corner of the region, not only inspecting courts and churches but also prying into ordinary farms, noting what planters were growing, and talking to them about the state of the colony. This itinerancy was partly in order to inspect defences

39 *Archives*, 20: 106, 113, 130, 133. For later developments of these reports and local organization, ibid., 20: 283, 471, 538, 23: 104; CO 5/714, f. 56. See also Jordan, *Foundations*, 190-93.
40 CO 5/713, f. 300-303; *Archives*, 20: 132. For Nicholson this local reorganization also meant reintroducing some of the local leaders who had backed Baltimore during the revolution and had consequently been excluded from power for a number of years. See Jordan, *Foundations*, 192-93.
in wartime and to ensure his administrative changes were being put into practice, but it was also about making royal government visible locally. Nicholson explained to crown officials that “I often visit ye County that I may keep up their drooping Spirits, and incourage them in planting, assuring them of his Ma’s Royal Intentions for their Good & Wellfair & of your Lord’s to them likewise.” At face value, his lengthy travels and bureaucratic reforms appear to have had little in common with the region’s town-building debates, but in reality they shared a common concern for questions of local economic and political control, oversight of trade and manufacturing, and the structure of local hierarchy. Nicholson and Lawrence were explicitly conscious that this whole process of reform was necessitated by the scattered and “loose” manner of settlement. Drawing from the difficult experiences that both he and Maryland had had in the past few years, Nicholson was hoping to reshape the way that localities were defined and integrated within the empire through a new complex bureaucracy, and he sought to find a new place for urbanization at the apex of this structure.41

Nicholson began his travels and travails with local government during the summer heat of 1694, and as fall approached he embarked on the second phase of his Maryland realignment. He gathered an assembly for the first time in more than two years and informed them of his instructions, including a letter “concerning Ports with a paper Superscribed.”42 His brief spell in London had been sufficient for him to assess the reception of his Virginia town plan which was still being debated in Whitehall, and he fully understood which parts officials had approved and where revision had been requested. He also understood that Whitehall felt any town plan for Virginia should be replicated in Maryland. It is impossible to know what advice was contained in the papers from the queen that Nicholson handed over

41 CO 5/713, f. 300-03; CO 5/714, 46-51; Archives, 20: 584.
42 Archives, 19: 33. Because of Nicholson’s quick efforts to restore harmony to Maryland’s counties during the summer, the returns for the 1694 assembly reflected a greater balance between supporters of the revolution and former Baltimore loyalists. See Jordan, Foundations, 193.
to the assembly that autumn afternoon, but they likely contained the same cautious approval
of town building that had been sent to Virginia, along with customs reports from the last
decade that spelt out the vision of import/export ports under direct imperial supervision.43

Before the debacle of Copley's tenure in Maryland, the first postrevolution assembly
had suggested continuing the town plan and although Copley had rejected the idea, evidence
suggests that the town sites that had been appointed in the 1680s retained their cultural
significance; for example, when the counties were asked to lay out parishes during Copley's
era, a number of them elected to place churches in the now technically defunct towns.44 It
made sense, then, that the assembly members should embrace the new prompt to establish
ports and towns. They drafting a plan, and two weeks later had produced a new proposal
that replicated their stance on towns during the 1680s – it proposed multiple locations in
each county and restricted all marketing of domestic goods to these sites as well as the
loading and unloading of ships. Nicholson was familiar with some of these provisions –
particularly those restricting buying and selling of goods – because they had been the rocks
on which his earlier Virginia proposal had floundered while sailing through the corridors of
power in London. He was not about to repeat his mistakes. The council tersely suggested a
number of revisions to the plan, reducing the number of locales and removing the marketing
provisions and sundry other measures that had been tacked onto the legislation. They also
pushed for the appointment of naval officers and collectors in each port and demanded that
churches and prisons should be built in the towns to provide civic structures. Although only
scant evidence of the lower chamber's deliberations during this session survives, it appears

43 Although Nicholson did not return to England until after the initial debate in Whitehall about the Virginia
town act, the principle that Maryland and Virginia would be treated the same had clearly been established. See
44 Archives, 8: 472-74.
that its members did not care to heed Nicholson’s advice. They pushed on with the act stipulating more than one town in each county and provoked the governor into action.45

He immediately and deliberately overshadowed the debate by introducing a dramatic proposal to relocate the capital to Ann Arundelton, one of the small hamlets designated in the 1680s town plans. There had been anxiety and frustration over the inconvenient location of St. Mary’s City (practically at the southern tip of the entire colony) for more than three decades. In the 1680s Lord Baltimore had held out the proposal of relocating the capital up the bay in exchange for passing his town bill but had quickly reneged on the promise. In Copley’s first assembly session in 1692, relocation was raised again and sparked bitter debate within the chamber. With Baltimore’s power in the colony neutered, it should have been easy to relocate the capital away from his city, but the revolution had actually complicated the decision. In the previous decade, the membership of the St. Mary’s City corporation and the county bench had shifted decisively away from Baltimore’s control. Copley’s close allies were largely based in St. Mary’s County and many also now served on the corporation of St. Mary’s City.46 These men had made an enemy out of Thomas Lawrence, who was now Nicholson’s trusted ally. In these circumstances it is hardly surprising that Nicholson was more than happy to reconsider moving the capital from this troubling centre of political strife. It would also have the salutary effect of redirecting the assembly’s energies from the port plan to the building of a city more in line with Nicholson’s ideals of empire. The decision, then, was based on the new governor’s vision of centralized administration.

45 Archives, 19: 59, 83.
46 For the offer of relocation in the 1680s, see above, p. 331-38. For the debate in 1692, see Archives, 8: 356, 369, 400. For Copley’s main allies around St. Mary’s, see Jordan, “Royal Period,” 104-7; for his allies in the corporation (Kenelm Cheseldyn, John Llewellin, Philip Lynes, and Robert Mason), see Papenfuse, Biographical Dictionary, 137-38, 216-17, 558, 580, 802-3; Archives, 19:75. St. Mary’s City’s appeal against moving the capital laid particular emphasis on the arrangement they had reached with Copley, ibid., 19:73-74.
geographically at the heart of the colony but also free from what he viewed as a corrupt provincial elite.47

This assessment, however, was far from universal. The plan met fierce opposition from the citizens of St. Mary’s, who produced a treatise in opposition to the move that was signed by the mayor, the full membership of the city’s corporate bench, and more than fifty other men. The signatories represented the full political spectrum in Maryland, including arch-rebel John Coode as well as Baltimore ally William Digges. The most interesting feature of their petition was the extent to which it rested on seventeenth-century English ideas about civic rights and corporate identity. Rather than appealing to the assembly that was debating the move, the petitioners addressed their concerns to Nicholson, and rather than just asking that the capital not be moved they pleaded for his “grace and favour in granting and Continuing to them their antient fraranchises rights & priviledges granted them by their Charter with such other benefitts and advantages as hath been accustomed and usually allowed and from time to time confirmed.” They clearly believed that their greatest political leverage in these circumstances was rooted in their charter and the personal relationship it implied between themselves and the governor. Of course the status of Baltimore’s urban charter was questionable in light of the revolution, and the city aldermen simultaneously sought Nicholson’s approval for a new mayor in a clear effort to legitimise the charter. The signatories built a case around their perceived corporate rights, citing the heritage of their charter, which had gifted them “immunityes rights benefitts and priviledges... above and beyond all other parts and places of the province.” They claimed that these endowments had spurred precisely the kind of civic-minded public action that they were intended to generate.

47 John Scharf erroneously claimed the capital was relocated to move it away from the Catholic areas of the colony, see John Scharf, History of Maryland, (Baltimore, Md., 1879), 1: 344-45. David Jordan disagreed with Scharf, but entirely dismisses a factional interpretation for the decision. See Jordan, “Royal Period,” 148-49.
in English corporate ideology: the citizens had invested in “meane indifferent lands” and erected public buildings, a governor’s residence, and a civic community. They even offered to expand this civic spending by paying for public transportation to the city from across the colony. The inevitable contrast, of course, lay in those “particular persons” who proposed the plan to move the capital “for their owne private Interest and Advantage.”45

The appeal of the St. Mary’s corporation may appear the desperate response of the few men with a private stake in the old capital, but it was a coherent political statement signifying a thorough understanding of the civic corporation in English political life. The petitioners aped the language of English burgesses pleading for a charter when they “humbly cast our selves [at Nicholson’s feet] for Releife and Support agt the Calamitys & run wherewith wee are threatned wholly relying upon your Exncies grace & favour therein.”

Ironically, these men, many of whom had fought against Baltimore’s political pretensions, appealed to “the prerogative Royal invested in your Exncie as their Majties Lieuentesant,” and followed up on their petition with a note emphasizing that the power to appoint corporate boroughs “is a peculiar prerogative of the Crowne, & that the upholding & Maintaينeing the Kings progrative is as Essentaill, & undoubted a part of the Laws of England, as the liberty & property of the Subject is, and that when... the former is intrenched upon by the Subjects... the State is in a Convulsion.” This powerful political language asserted the essential connections between corporate rights and the political structure of the English state.49

Unfortunately for the seventy men who signed, Nicholson’s vision of political economy and the state, as his careful oversight and regular tours demonstrated, rested not on a relationship of trust and charter citizenship but on direct supervision and personal control.

49 Ibid., 73, 76. For scholarly assessment of the petition, see Edward C. Papenfuse, “Doing Good To Posterity”: The Move of the Capital of Maryland From St. Mary’s City to Annapolli Towne, Now Called Annapolis (Annapolis, Md., 1995), 12.
Nicholson’s passed the complaints along to the assembly, immediately undermining the special relationship that the petitioners claimed between themselves and the governor. The delegates’ response was bitter, sarcastic, and angry, but it demonstrated that they understood the civic logic of the address. Firstly they contested the signatories’ claims to be a true urban citizenry, claiming that they were merely “calling themselves” by such titles. Then they quickly identified the major constitutional flaw in the argument, dismissing the majority of the citizens’ points by claiming that they pertained to the prerevolutionary government. Finally, they contested the idea that the city’s population had contributed to the public welfare through building projects, suggesting instead that public money had been poured into the city that was akin to “Pharoah’s Kine” in showing no sign of growth or health. They turned the corporation’s argument on its head by claiming that the public good necessitated a new capital in Ann Arundel County; mocking the idea of a coach service to the city, they joked that “the General welfare of the Province ought to take place of that sugar plum & of all the Mayors Coaches whoe as yet has not one.” By passing the petition along to the assembly and then concurring in their scathing critique of the corporations civic privileges, Nicholson was explicitly rejecting a devolved vision of civic government and favouring a city that tied the empire to the whole body politic of Maryland represented in the assembly chamber.50

During the remainder of the session, the assembly came to appreciate precisely what Nicholson’s dismissal of these corporate pretensions to self-government might mean for any new town-building efforts. Although the new plan for towns across the colony was returned to the council, it subsequently disappeared from the assembly records sometime in early October as Nicholson began work on the new capital. By October 17 the lower house had been persuaded to advocate for two port towns for the whole colony – one at Ann Arundel

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50 Archies, 19: 76-78.
to serve the western shore, and another at Oxford, in Talbot County, to serve the eastern shore. The inclusion of Oxford meant the decision was not just about relocating the capital; it was a direct replacement for the previous town-building plans and it sharply restricted urban development in precisely the way that Whitehall officials had envisioned. It also emphasized the new governor’s power by granting him the first choice of up to three lots in each town. The following year, when delegates proposed another plan to establish multiple towns, Nicholson again managed to replace the legislation with a proposal to further develop only the Oxford site, under the new name of Williamstadt – he was determined that these twin cities would replace the wider town plans of the previous era.51

Even the choice of these locations was telling. Nicholson eschewed Londontown, the port that Baltimore had pretended to offer as a new capital in the 1680s and that had hosted a number of council meetings since the revolution, and favoured Arundelton, which was owned by prominent proprietary loyalist Richard Hill. He also selected Oxford, the would-be incorporated town where frustrated colonists had gathered in 1693 to lambast Copley and foretell Nicholson’s own appointment. The legislation also rejected market restrictions or manufacturing incentives in favour of public buildings for the centralization of administration. The two locations represented a new urban ideal for the Chesapeake: centralized, administrative spaces with Nicholson at the heart of developments.52

Over the next few years, as Nicholson designed the city that he quickly renamed Annapolis, the ramifications of this new vision would become clear for Maryland and for the

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51 Ibid., 19: 83, 88, 110-13, 178-80, 190. Discussions about the town plan for other sites continued into 1696, but the assembly then vetoed the plan, possibly because they did not want further urban centers under the strict gubernatorial control that Nicholson had in mind. Ibid., 19: 290, 301. Evidence from Mount Calvert, designated as the county seat of Prince George’s County when it was founded under Nicholson’s tenure, suggests that Nicholson brought the same kind of order and authority to courthouse towns. Michael Lucas has revealed that the lots for the new courthouse and church built there featured the same precise 3:2 ratio as in Annapolis. See, Lucas, “Negotiating Public Landscapes: History, Archaeology, and the Material Culture of Colonial Chesapeake Towns, 1680 to 1720,” (Ph.D. dissertation, University of Maryland, 2008), 109-10.
wider empire. The governor acted with his usual verve to see that the capital move was swift and efficient, but also to ensure it was personally under his command. Within three months he had drafted the radial baroque plan for the city that was to become so famous. It took advantage of two natural hillocks at the site, which were to be capped with the new statehouse and parish church as symbols of the temporal and spiritual government of the colony. These building were encircled by a roadway from which radial streets fanned out to ensure that all parts of the new town had clear sight lines and perspectives on the organs of.

53 Architec, 20: 192-93.
the state. Archaeologist Mark Leone has shown how the design created tricks of perspective to make the public buildings appear larger and more imposing than they actually were in order to reinforce hierarchy on the landscape. However, the order being emphasized was not simply that of a new provincial elite; it was as a product of a contested moment in the history of colonial politics and English Atlantic empire. Nicholson was emphasizing the centrality of the state and the church, but he was doing so to all Marylanders equally (just as Nicholson’s provincial tours visited farms of various different colonists). This was not the hierarchy of St. Mary’s corporation or Copley’s coterie. It was a perspective intended to emphasize the wonder and order but also the accessibility of the state. As buildings began to appear on the landscape, the governor worked to make sure not only that the state was centralized and ordered within the limits of the statehouse and the city but also that he directly interacted with the public that these spaces created. One final, less appreciated aspect of the plan underscored the way that it was intended to reinforce his position as the overseer of this administrative centre; a large square lot in the jaws of the town’s harbour was reserved for Nicholson himself, so that people sailing into the colony’s new capital would have their eyes drawn to the twin peaks of church and state, but they would themselves be subject to the gaze of the ever-vigilant governor.54

Nicholson’s vision for Annapolis was visible through more than just the elaborate plan that he penned that winter. It was also revealed through the ways that he sought to use the new space. His biggest priority for the new city was that it be a hub for the colony’s administration in a way that St. Mary’s had never been. During his tenure he promoted a group of able young lawyers and administrators as efficient managers of the state, but he was

careful to insist that they, and their records, remain resident in Annapolis. Since his earlier stint in Virginia, Nicholson had been complaining about the dispersed homes of officials and the difficulty of gathering them for meetings. By establishing an administrative centre he hoped to alleviate these problems. Nicholson and Thomas Lawrence immediately relocated to the new site along with the clerks of the respective courts. Councillors could not so easily abandon their plantations, but the logic of the city still held sway a couple of years later when Lawrence wrote to Whitchall assessing potential new councillors by the distance of their homes from Annapolis. Nicholson and the council even turned on his old ally Henry Jowles, who was the keeper of the colony’s broad seal, because he had failed to move to town. And it was not only provincial officials who were to be centralized. Nicholson quickly acted to have the Ann Arundel County courthouse moved to Annapolis and insisted that the sheriffs of Ann Arundel and Talbot counties reside in Annapolis and Williamstadt respectively, and when Baltimore’s collectors in the colony complained that ship captains were avoiding paying the separate proprietary fees, Nicholson merely advised them to establish themselves at the twin cities or forfeit the revenue. He also saw to it that the post-stage route for the new colonial post office should run through both new towns.55

Bringing all of the major officials into town only had value, though, if Nicholson could oversee and control them there. It was therefore unsurprising that he took a special interest in the process of building the town and observing its comings and goings. The plan itself was certainly Nicholson’s design, and although the assembly appointed committees to oversee the building of the new statehouse, Nicholson kept himself fully informed. When Casparus Herrman, who was contracted to build the statehouse, began missing his deadlines, Nicholson quickly noted the delays to the council and took action. He pushed the

55 *Archives*, 20: 388, 19: 383
assembly toward constructing other public buildings on designated land in the new town (a public school, parish church, and market house), contributing considerable sums of money to the work, and he even dictated the construction of a series of roads across Ann Arundel County that would channel all the land traffic of the western shore through the city.\(^6\) In a highly unusual move, when Annapolis was first given a measure of self-government in 1696 (although not a full charter) the governor went so far as to make himself and Thomas Lawrence two of seven overseeing officers. Even when Charles II had recalled the charter of the city of London, he had never appointed himself mayor. In August 1696 Nicholson even ordered that all tavern keepers should personally bring him an account of any visitors to the town who supped at their table. Ostensibly this was to enable the governor to send notes or letters with any travellers on their onward journey, but it also theoretically gave him unprecedented oversight of the town’s public spaces.\(^5\)

All of this personal supervision, however, just like Nicholson’s tours of the colony, was couched in a populist framework. Nicholson saw his position in a centralized imperial city as more accessible and he was anxious to use the space to interact with the body politic of the colony. Having drawn up the town plan over the winter of 1694-95, he called the assembly together in February 1695 (only six months after the previous session) primarily to show them the plan and gaining their approval. The next autumn he did the same for the new town of Williamstadt, consulting the assembly for explicit approval and displaying maps of the town. And he repeated the process with the statehouse structure itself; he personally brought the delegates to the site and requested that they formally report on their opinions. Finally, the following year, when the plats and surveys of the towns were completed in detail,


Nicholson insisted that the delegates all gather to witness the images and see him place his personal seal in a number of places on the parchment that was then to be displayed in the courthouse. It is crucial to appreciate here that Nicholson’s method was never to simply ask the opinion of the assembly about the shape of the town, but rather to produce images or gather them in specific spaces and demand their formal assent to what was already a fait accompli of urban design. It was important that he maintain control but equally important that that control be acknowledged.  

The other means by which Marylanders more generally could show their assent to his urban control came through public events and ceremonies. For example, in the autumn of 1695, when the assembly gathered for the third time in the new town, Nicholson opened the session by inviting the delegates to “walk down towards the Dusk of the Evening for to Drink his Ma” health at which time he would cause a bone fire to be made for the Joyfull news of his ma” Success ag’the ffrench.” It is difficult to interpret how much of Annapolis’s street layout was visible by this point (just a year after the capital was moved) but it was clear that Nicholson had a space amidst the staked-out streets and lots where he hoped to treat the delegates and celebrate the empire. He was turning the future city streets into an extension of his own home, where he might invite guests and host ceremonies. He also expected the streets and circles of the Annapolis plan to provide spaces where he could meet and address the people. In December 1696, when he began encountering concerted political opposition in the colony, he again turned to the town’s public spaces: he ordered that the sheriff gather “all prsons about town that they be forthwith and Appear at the Court house,” and when the courthouse was full to bursting Nicholson challenged his opponents to publicly voice their opposition to his governance. The the bonfire and the public address

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demonstrated the ways that Nicholson felt the city could provide a site for direct relationship between his royal authority and the body politic at large.\(^9\)

That Nicholson was forced to make use of the civic space to defend his government, though, implies that his control over a centralized imperial city was not uncontested. In fact, it was quickly apparent that delegates and ordinary citizens had concerns about Annapolis's political structure. The first misgivings appeared in October 1695 when the assembly blocked Nicholson's proposals for separate town courts on the basis that the populations of Annapolis and Williamstadt were not high enough to ensure a fair allocation of justices. The following spring the concerns became greater. As soon as the assembly gathered in May 1696, Nicholson pressed them to take action on a whole slew of new measures he had developed for promoting Annapolis including plans for legal immunity for town residents, markets and craft incentives, and the allocation of a common, a ditch marking the town boundaries, and a gatehouse. The delegates took exception to the new controls Nicholson was proposing, and to make matters worse they also took offence because in the cramped conditions of the temporary statehouse the governor's official clerks kept walking through their chamber as they deliberated on the proposals – serving as a reminder of who really controlled the public political space of the city. The delegates decided to block the clerks' passage through their chamber, and they also drafted a response to Nicholson, frankly stating that if he wanted further changes at Annapolis he should extend the privileges of self-government to the city through a charter. Nicholson refused to be cowed. The following day he posted a notice on the assembly chamber door ordering that the clerks be allowed to walk through, and when the delegates again demurred he prorogued them overnight to underline his power over proceedings and over space within the new capital. Chastised, the delegates

\(^9\) Ibid., 19: 226, 20: 564.
returned to work the following day and approved some of Nicholson’s measures, but they still refused to draft the new plans for the city. It took a further two sessions of wrangling before the delegates agreed to “An Act for Keeping Good Rules and Orders in the Port of Annapolis.” The act included the previous proposals for craftsmen, markets, and bylaws and also confirmed Nicholson and Lawrence as heads of the corporation. It even made provision for Nicholson to take a portion of the common as a personal estate (not connected to the governorship) on which to build “a garden, Vineard or Somerhouse.”

Other complaints and objections, however, proved harder to silence. The governor’s plans for Williamstadt as a companion city to Annapolis were particularly vulnerable. By May 1695 Nicholson was already anxious about Williamstadt because surveying and building had not proceeded at the same pace as Annapolis. Although the council insisted that action be taken to spur development, little evidently came of this decree, because Nicholson returned to the assembly in the autumn 1695 session still appealing for public buildings in the colony’s new second city. With the same eye for natural features that had led to the circles in Annapolis, Nicholson had spotted the small island at the tip of the peninsula on which Williamstadt was built and he proposed that all the public buildings be erected there with a commanding view of the harbor. Constructing such buildings, however, required the cooperation of landholders and local citizens, and Nicholson could get neither. Nicholas Lowe, a proprietary ally who had recently returned to the Talbot County bench, owned some of the land for the town and the designated common. He challenged the price offered for the land and took his case to the assembly, but Nicholson unilaterally dismissed it. More problematic was the building of the church in Williamstadt; part of the county tithe was to

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Ibid., 19: 224, 228, 288-92, 301-8, 320-25, 498-504 (quote, 501). For a more detailed account of the dispute over the clerks and the assembly chamber, see Papenfuse, “Doing Good,” 16-18. It took one further session to fully resolve the issues with room allocation in the statehouse. See Archives, 19: 512, 517, 536, 594.
be put aside for the construction of the new building, but the sheriff complained that the parish vestry had forbidden it. Nicholson demanded that the county officials take action, but no evidence survives to suggest that they complied. He never succeeded in getting officers and government functions relocated to Williamstadt as he did with Annapolis, and a few years later, after he left the colony, a faction within Talbot County blocked a plan to move the county courthouse to the town. With such internal wrangling in Talbot, it was hardly surprising that the council also heard cases of commercial fraud in which ship captains merely shrugged their shoulders and claimed they did not know about the requirement to register their vessels in Williamstadt. 61

The biggest challenge to Nicholson’s leadership, however, still remained on the western shore of the colony. Having won the battle for control of Annapolis during the summer of 1696, Nicholson faced a rising tide of opposition in St. Mary’s County. Events in the southern tip of Maryland had been unsettled ever since the capital had been relocated. While Nicholson was putting the finishing touches to the plan for Annapolis in the early months of 1695, the county court in St. Mary’s failed to meet for its usual quarterly session and thus dissolved its institutional identity, necessitating an assembly act to revive its jurisdiction. 62 The following year rumors surfaced in the county about Nicholson and his tenure as governor, propagated by former revolutionary leader John Coode. The rumors gathered strength when repeated by fellow St. Mary’s residents Philip Clarke, Robert Mason, and Gerard Slye in response to confrontations with the governor in the assemblies of 1696. Although the rumors mainly pertained to crimes and moral lapses Nicholson had supposedly

committed, the governor’s position at Annapolis and his abandonment of St. Mary’s City also played a central role. His opponents fully understood the implications of the city he had built on the banks of the Severn and how it reflected his ideas about leadership, local government, and empire.63

In the autumn of 1696 Nicholson gathered depositions about Coode’s allegedly blasphemous statements in an effort to discredit him, but witnesses also included another odd detail – Coode had made all his remarks in two locations, namely the cities of St. Mary’s and Annapolis, during the relocation process. Coode had been a signatory to the St. Mary’s corporation’s plea to retain its status in 1694, and the fact that he launched his outbursts at St. Mary’s just as the records were being shipped out and in Annapolis soon after the transition was complete suggests that he was observing the capital translation disapprovingly.64 After Coode fled to Virginia, his allies in St. Mary’s stepped up their campaign against the governor – delegate Philip Clarke, who was an alderman of St. Mary’s City, began to spearhead the dissatisfaction. A formal list of complaints against Nicholson in 1697 confirmed the anger over Annapolis. It noted that:

He hath Erected a Town in a very ill remote place of the Province which he hath named Annapolis where he holds the Provincial Court, enjoyned all Officers to live there, hath put the Countrey to an unreasonable charge thereby to no purpose — and to add to the charge an ill conveninence, Ordered all manner of persons that hath business at common law or Chancery to come there on all occasions, and also summoned all manner of person, bearing any sort of Office to attend to no purpose but to expence & trouble.

Although Nicholson refutated these charges, the problems did not go away. In fact, resentment of Nicholson’s urban authority became even more pronounced.65

63 Ibid., 23: 436. For a detailed account of Nicholson’s troubles in these years, see Jordan, “Royal Period,” 176-96.
64 Archives, 20: 490-92, 564.
When Nicholson called new assembly elections in the spring of 1698, St. Mary’s City, which was still sending delegates to the assembly, became a particular locus of protest: on election day in the city Clarke threatened to burn recent royal instructions under the city’s gallows. When the session began a new series of complaints were levelled against Nicholson, and the governor notably chose to react by reinforcing his control over the city. He took issue with the way the assembly delegates used the town; on their arrival for the session he had personally guided them around the now completed statehouse, but he soon got word that the delegates had abandoned the building in favour of meeting in a local tavern. Given Nicholson’s personal interest in controlling the space of Annapolis, particularly the statehouse, the delegates’ decision can be seen as a very visible attempt to escape his oversight. Nicholson “acquainted the Speaker that [the statehouse] was the the place to doe business therefore does not know by what authority they Adjourn’d themselves again to an Ale House.” He even included these complaints in a proclamation transmitted across the colony. These trying experiences in the spring of 1698 demonstrated that the tensions between St. Mary’s and Annapolis lay at the heart of the political battle within the colony, but they also underline that Nicholson was not about to back down in his efforts to centralize imperial authority in his new capital. He closed out the session by ordering the map of Annapolis to be brought out yet again and making the delegates watch as he placed his personal seal in all four corners.

During the summer of 1698, Nicholson unearthed more resentment over Annapolis. Though there were a plethora of complaints, the new city and Nicholson’s active efforts to shape it as a political statement were key. When he questioned Gerard Slye, an accomplice of Coode and Clarke, he was again told that the resentful colonists felt the move to Annapolis

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66 Archite, 23: 412.
had been expensive and unnecessary, but also that they suspected Nicholson of being a Jacobite who had named the city after Anne as an overt snub to King William and who was planning to build a Catholic chapel in the city. Sye summed up the perceptions of the disgruntled colonists when he described the governor as “Nic of Annapolis.”

Ultimately, “Nic of Annapolis” manipulated the provincial court in his city to convict all his opponents and sidelined them triumphantly just a few weeks relocating to the governorship of Virginia. Though Coode and his allies had been unable to repeat their 1689 feat of unseating the governor, their antics had alerted Whitehall to the significance of Nicholson’s efforts at Annapolis. In October 1698, with Nicholson preparing to leave, Secretary Lawrence was ordered by the Board of Trade to dispatch copies of all legislation related to Annapolis and Williamstadt. Although they paid little attention to the accusations against Nicholson, the problems with Annapolis had piqued the interest of Whitehall officials because they were concerned about authority and urbanity in the Chesapeake. More than three years after the Annapolis legislation had been initially passed and sent to London, Nicholson’s civic ideas finally attracted attention in the capital.

Nonetheless, the bureaucrats at the Board of Trade did not request a copy of the plat for the new towns, which should remind modern scholars that their interest did not lie in the niceties of Nicholson’s baroque design. To be sure, Annapolis was a uniquely elaborate design for the Chesapeake in this period, but this attention to detail was all in the service of a larger political goal. During his time in Maryland, Nicholson had developed a distinct philosophy about urban development and empire. He sought to create an imperial city, where he could be visible and accessible to the people and from which he could use a

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69 CO 5/714, f. 331. For the reforming zeal in the Board of Trade in its first two years, see below as well as Michael G. Kammen, “Virginia at the Close of the Seventeenth Century: An Appraisal by James Blair and John Locke,” VMHB 74 (1966): 141-53.
centralized bureaucracy and periodic tours to connect ordinary colonists to the crown. He frequently wrote to London about the pervasive looseness of Maryland’s political and geographic landscape, and it is perhaps useful to see the streets of Annapolis and Williamstadt not as imaginative baroque designs but as knots that Nicholson hoped would tighten the strings of empire.  

Nicholson’s work in Annapolis was just a small part of a much broader refashioning of empire during the mid-1690s. By mid-decade England’s military commitments had created an economic crisis. The nation’s coinage was devalued, government credit was almost exhausted, and the ramshackle edifice of committees and clerks that constituted the English state was beginning to creak under the weight of war. This crisis inspired proposals for a new advisory committee of experts on trade and statecraft to attend the mounting business of the empire. The new Board of Trade came into existence in May 1696. In this context urban development in Virginia became a hot topic once again, and the link between urbanity and political authority once again supplanted the purely mercantilist vision of ports and customs collectors. It was because of Nicholson’s experience with this kind of colonial urban development at Annapolis, that officials and colonial lobbyists concluded he was the right person to take over in Virginia with a mandate to redesign its political topography and urban structure.

The dramatic changes in Whitehall in 1696 immediately raised the issue of colonial political economy. The impact of the new Board of Trade was felt particularly by Sir

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70 For Nicholson’s 1698 assessment of Maryland’s “atheistical, loose, and vicious way of living,” see CO 5/714, f. 238-57.

71 The best summary of the circumstances surrounding the establishment of the Board of Trade can be found in I. K. Steele, Politics of Colonial Policy: The Board of Trade in Colonial Administration, 1696-1720 (Oxford, 1968), chap. 1; an alternative account is Peter Laslett, “John Locke, the Great Recoinage, and the Origins of the Board of Trade: 1695-1698,” *PMQ*, 3rd Ser., 14 (1957): 370-402.
Edmund Andros, who, as we have seen, had grown lethargic and pessimistic about genuine reform in Virginia. The board was not simply more zealous than its predecessor—it was also more ambitious in the scope of its reforms. King William filled most of its seats with men of intellect and experience but also men with strong Whig credentials. The most notable of these new appointees was philosopher John Locke, who during the following four years took a particular and wide-ranging interest in colonial reform—including the place of towns within the English empire. However, the Board of Trade became a fertile ground for debating such issues because William’s also appointed, William Blathwayt, the arch colonial administrator. Blathwayt brought to the board a single-minded dedication to imperial revenue and mercantilism, and extensive experience of blocking Chesapeake town legislation, to balance the ambitious innovations of Locke. When the Chesapeake’s problems were discussed at length at the board over the next few years, urban development—its encouragement, purpose, and viability—was at the very heart of discussion and formed the crux of these men’s disagreements.

While the summer sun bathed London in 1696, the members of the Board of Trade sat huddled in their committee room surveying papers from across the Atlantic world, but the state of Virginia weighed heavy on their minds. Edward Randolph, who had returned from his tour of the colonies, fed them a diet of reports about customs evasion in the Chesapeake, illegal traders on the Eastern Shore, the monopolization of land grants by a narrow elite, and the potential for diversified products from the region that might help the war effort. None of these problems specifically related to town development, but it lay at the

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72 For the Board’s activities in these early years, see Steele, Politics of Colonial Policy, chap. 2. For its harassment of Andros, see Calendar of State Paper, Colonial Series, 15: no. 256, 660, esp. 1295.
74 See the contrasting attitudes of the Board to recent letters by Andros and Nicholson respectively in CSP Colonial, no. 1295 & 1296. A number of Nicholson’s encyclopedic letters can be found in CO 5/714.
intersection of them all. It still promised a way to police trade and collect revenue, while also spurring the development of new products and partly alleviating the poverty caused by a shortage of available farmland. The anger of officials like Randolph and Locke’s whiggish ideals encouraged the board to think about the opportunities towns offered for poor colonists and for economic diversification. Once the board had digested this plethora of reports they fired off a list of queries to Andros, particularly enquiring about the town legislation of 1691 that he had been asked to amend. It was clear that they were not going to allow Andros to quietly sideline Virginia urban development.⁵

The Board of Trade did not idly await Andros’s reply. They continued their investigations through the spring and summer of 1697 by questioning Virginians who were sojourning in London that year, including two lawyers, Edward Chilton and Henry Hartwell, and the Rev. James Blair, leader of the Anglican church in Virginia and founder of the College of William and Mary. Blair was a skilful lobbyist (as demonstrated by his success in winning a charter for the college earlier in the decade) and quickly appraised the situation in Whitehall, establishing that he could utilize the board’s interest to disparage and topple Andros and to channel the reforming zeal in the interests of his friends in the colony.⁶

In late August the board questioned the three Virginians collectively about the colony and their testimony confirmed suspicions in Whitehall. Chilton and Blair concurred that land distribution was out of control and all three lamented the confused and arbitrary constitutional arrangements in the colony. When asked about towns, they all made a particular point of emphasizing the lack of urban development and the way that ports might

⁵ Ibid., 15: no. 46, 108, 120, 149, 176; for the Board’s response to Randolph, see ibid., 15: no. 300; for their enquires to Andros, see the utes of his responses in ibid., 15: no. 956.
assist in raising the price of tobacco. Blair alone mentioned markets and craftsmen.

However, the three men misjudged the opinions of the new reforming faction at the Board of Trade. Their argument for urban development was essentially a copy of the ideas of the 1680s – namely, that it would restrict trade, drive up prices, and make the collection of duties more straightforward; they leaned heavily on Whitehall’s former policy by advocating a very limited number of sites. They attempted to marry the interests of imperial finance with the private profit of leading planters and London merchants. It reflected a fundamentally mercantilist vision of urban development within empire that would probably have pleased William Blathwayt if he had not been absent from London at the time. Blair specifically warned the board that pushing ahead with town development as he envisioned it would incur “great opposition and difficulty” from ordinary colonists who did not share the interests of leading planters. The men were also ill-prepared for the board’s knowledge about the issue. Board members cornered Blair by neatly summarizing the nub of the problem with town legislation for the previous thirty years: “the difficulty ... on one side about the inconvenience of forcing goods to be brought to a place where no provision was made for the receiving of them; And, on the otherside, about the Expence of building Houses and Warehouses, before goods were Ordered to be brought thither.” Faced with this chicken-and-egg problem, Blair, as the minutes simply note, “was not prepared to solve it.” As this early set of hearings made clear, renewed interest in London and the colonial envoys’ enthusiasm for limited reforms did not mean that the town debate had been resolved.

Over the next six months, two documents served to ensure a renewed push for urban development in Virginia. The first was written by Blair, Chilton, and Hartwell as a

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77 CO 391/10, f. 209-31, 263-67 (quotes, f. 222); CSP Colonial, 15: no. 1320. Locke and Blathwayt almost never attended the Board of Trade simultaneously. Locke fled the polluted city in the winter and spring, while Blathwayt spent the summer and autumn on the Continent with the king; hence Blathwayt’s absence during these discussions. For a chart of the two men’s attendance patterns, see Steele, Politics of Colonial Policy, 24.
longer testimony to the board, which was published thirty years later as *The Present State of Virginia and the College*. The second was composed by Locke in early 1698, in response to the investigation, and as a precursor to drafting new instructions for Francis Nicholson, who had been selected to replace the disgraced Andros in the governorship. There are numerous similarities between the texts, and these parallels probably conceal considerable private discussion and debate amongst the men over Virginia’s land policy, gubernatorial powers, and ecclesiastical structure. Both documents made explicit reference to the need to cultivate towns, but the reasoning and vision were subtly different.  

For Blair and his colleagues the lack of “well built Towns,” was the first of the colony’s shortcomings, and from that failing they expanded to the shortage of “convenient Ports and Markets... Ships and Seamen... well improv’d Trades and Manufactures” and even educated and industrious people. The authors then immediately ascribed blame for the lack of urban development that had rendered Virginia “the poorest, miserablest, and worst” colony in America; they made their target unmistakably clear – “the narrow, selfish Ends of most” colonial governors were to blame for not pushing the measure, compounded by “the Obstinacy of the People,” who “having never seen a Town ... cannot therefore imagine the Benefit of it, and are afraid of every Innovation that will put them to a present Charge.” This was a theme they returned to later in the text, warning that the people “are daily more and more averse to Cohabitation.” The only answer, the authors claimed, was to have the legislation forced through in London or to appoint a governor such as Nicholson who might woo the people to pursue such projects. In reality, no governor since the Civil War had been

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8 Until recently Locke’s plan was assumed to be Blair’s draft form of the *Present State of Virginia* (thus predating that account). See Kammen, “Virginia at the Close of the Seventeenth Century,” 141-53. However, Holly Brewer has demonstrated (in forthcoming work) that the document (which is part of Locke’s private collection, now housed at the Bodleian Library, Oxford) was in fact a later composition, based on Locke’s more extensive investigations.
hostile to urban development, and many, such as Effingham, had been confronted with local opposition. But the writers' only real target with these accusations was the sluggish Andros, whom Blair was desperately trying to unseat. The comment about the Virginia population at large was more revealing. The writers painted ordinary planters as ignorant, when, as we have observed, many were fully aware of the political and economic ramifications of urbanization. Theburgesses had refused to remodel the 1691 act when Andros had pushed them, but this, as we have noted, was the result of changes to the legislation and internal divisions, not their inherent parochialism: in fact, the chamber still regularly dealt with pleas from across the colony to resurrect the legislation. What was notably absent from the account of Blair, Chilton, and Hartwell was any reference to the lethargy of Andros's advisors on the council (Blair and Hartwell included). After all, it was Ralph Wormeley who fed Andros the tales of failure and confusion resulting from the 1691 act and who had blocked the developments in Middlesex. There was a grain of truth in the authors' stinging critique, but their assessment obscured as much as it enlightened about the town debate within the colony and the empire. The authors clearly laid out a philosophy of urban development suited to Virginia's wealthiest planters and their commercial allies in England.  

The details of this alliance can be glimpsed within the authors' concrete proposals for encouraging urban development. They assessed the qualities of common planters and found them lazy and disinterested in diversification because of a lack of towns to sell their goods. Craftsmen, they explained, were forced to travel across the colony because of insufficient demand in any particular place and they were forced to farm part-time because the region lacked a domestic market in subsistence crops. The emphasis was placed on the failures of the existing population and the need to force them into urban structures that

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79 Hartwell, Blair, and Chilton, Present State, 4-5, 12-14.
might limit such desultory tendencies. However, the authors then returned to the stereotype that “they always appointed too many Towns ... for every Man desiring the Town to be as near as is possible to his own Door, and the Burgesses setting up every one of them for his own County.” They advocated for the selection of only two or three towns in all. Furthermore, they argued against limiting all domestic trade to towns, claiming that only import and export restrictions, coupled with strong leadership, were necessary. This confusing mass of arguments can be boiled down to one inherent contradiction. The authors saw towns as a means to cultivate trade and mend the vices of ordinary planters, but they refused to surrender any merchant-planter control over the tobacco trade. By limiting the number of towns, they secured control of the trade and appealed to mercantilist interests in England but made it far less likely that ordinary planters in rural New Kent or Accomack County would be able to convert their farms to supply a local town; by nixing domestic trading rules they also neutered the advantages of the town as a base for craftsmen. In sum, Blair, Hartwell, and Chilton advocated a particular, narrow form of urban development that would secure the mercantile position of the planter elite and force their neighbours into economic and social roles that they could oversee.\(^60\)

This lengthy proposal reached the Board of Trade in late October 1697, just as Locke left the city for the winter. The members read and approved it, but Locke also took the winter to mull over the proposals and plan a new strategy for Virginia. In the spring, after the decision had been made to replace Andros with Nicholson at the helm of Virginia government, Locke produced a new report suggesting instructions for the new governor. In many respects the report reflected the contribution of Blair, Hartwell, and Chilton, but its treatment of Virginia’s urban problem was distinct. Rather than focusing on the financial

\(^60\) Ibid., 9-14. For Whitehall’s response to the 1691 act, see CO 5/1306, f. 384-97.
costs of limited urbanization, Locke viewed the issue in a larger imperial context, explaining that it made Virginia vulnerable to attack and prevented it producing useful manufactures for the empire. Instead of separating the elite's monopolization of land from the failure of towns, Locke suggested that these two issues combined to create a disjointed social structure that lacked "the great Company of Citizens and Tradesmen that are in other Countrys."

Leading planters could not lament the short-sighted attitudes of ordinary colonists when their avaricious demand for cheap servants had led them to not import the skilled craftsmen or foreign tradesmen who might inhabit towns.  

Locke's solution was to put a stop to the headright system that had been abused to acquire vast acreages and to address the town problem. Restrictions on loading and unloading ships were again suggested, but Locke did not share the envoys' confidence that this would be sufficient to stimulate urbanization. In direct contradiction to the Virginians' report, Locke suggested granting new towns "the Privileges of weekly markets and some few fairs in a year (with such other privileges as used to be granted to Corporations)." He suggested free passage for craftsmen who would travel to Virginia, "upon Condition that they follow their Trades in some of these townes" and a mass transportation of the English urban poor. To balance new immigrant craftsmen communities, he suggested (probably reflecting Nicholson's actions in Maryland) that "the Governour, and other principal officers of the Government . . . reside at the chief of these Towns." These plans to create an urban citizenry were central to Locke's larger vision of reducing the power of both the elite and remodelling Virginia as a land of small farmers and craftsmen. The differences between

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8: Kammen, "Virginia at the Close of the Seventeenth Century," 153-56 (quote, 155). These statements about importing the wrong kinds of labour may also have been a veiled critique of increasing slave imports during this period. Ongoing research by Holly Brewer has demonstrated that Locke and his radical friends in King William's government were working to undermine and dismantle the slaving system during this brief window at the turn of the century.
Locke’s ideals and the plans of Blair, Hartwell, and Chilton were subtle but significant. While the Virginians saw urban development as a means of securing the mercantilist alliance between planters and merchants, Locke looked to it as a source for a new class of citizen colonists who might be more reliable, useful, and loyal to the empire’s wider goals.82

Locke proposals, though, were not translated seamlessly into policy. Blathwayt fought him over Nicholson’s instructions through the spring of 1698. The potential for Locke’s plan to encourage colonial manufacturing was of particular concern in London. Domestic linen and woollen producers were becoming extremely sensitive to the threat of competition from imported fabrics. The possibility of shipping indigent English and Irish peasants to the Chesapeake and establishing them in manufacturing towns was hardly going to soothe these concerns. Over the summer of 1698, the instructions for Nicholson were drafted and many of Locke’s suggestions were adopted, including limits on land grants, restrictions on gubernatorial power, and a ban on plural officeholding by the colonial council. However, the plan for towns, which had been the centrepiece of Locke’s proposals and the Virginians’ report, was all but ignored. The board simply pasted in the old instructions about town building that had been included in gubernatorial orders dating back to Lord Culpeper, mandating the rebuilding of Jamestown and the appointment of an indeterminate number of ports wherever colonists thought best. The absence of new instructions on this debated issue vividly illustrates that it was the most controversial and troubling part of Atlantic political economy in this era. Urbanization was at the heart of the debate over what kind of empire England was attempting to build in the plantation colonies, and it was also directly responsible for the appointment of the Francis Nicholson – already the Chesapeake’s arch town builder – to the post of Virginia governor. The energy and ideas

82 Kammen, “Virginia at the Close of the Seventeenth Century,” 156-59 (quote, 157, 158).
unleashed by the Whitehall debate and the inevitable rumours and epistles that surrounded it in the Atlantic merchant community, were enough to reignite interest in the colony. 83

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In Annapolis Francis Nicholson received only episodic accounts of this metropolitan wrangling. At this point he was in close contact with James Blair (with whom he had partnered in the project to found the College of William and Mary) and had connections to both Locke and Blathwayt. Officials in London were well aware of his efforts in Annapolis and Williamstadt, and Nicholson had also been part of the chorus of voices lamenting the region’s liberal land-granting policy. The twin town plan that he had inaugurated in Maryland had been praised by Blair, Chilton, and Hartwell as a model for the kind of limited mercantilist urban development they advocated, but, equally, Nicholson’s efforts to entrench ordinary planters’ relationship to the crown through urban space was at the heart of Locke’s new vision of empire. When Nicholson’s instructions for his new post in Virginia finally arrived in late 1698, their noticeable ambiguity and studied neglect on the issue of town building effectively gave the governor a free rein to replicate his Maryland model. A fire that enveloped the Virginia statehouse almost simultaneously also offered an even more compelling case for moving the capital than Nicholson had in Maryland. Nicholson’s return appeared to breathe new life into Virginia’s defunct town plans of 1691, but, as in Maryland, he now concentrated on establishing a new capital city, which he christened Williamsburg. Nicholson was able to achieve this dramatic move within a year of being transferred to Virginia precisely because of the interest that the debate in London had whipped up and the sheer imprecision of the instructions it had produced; he knew that he could count on the support of the Rev. James Blair and his friends on the council to help coordinate the

83 CO 324/25, f. 26-80 (esp. 68); Kammen, “Virginia at the close of the Seventeenth Century,” 150; Steele, Politics of Colonial Policy, 24.
relocation of the capital, but the instructions also freed him to craft a new capital city to appeal to all sections of Virginia society while retaining his trademark personal control and oversight. However, as the city began to take shape over the first few years of the eighteenth century, the tensions underlying this compromise—and the compromises made in London—became increasingly clear. Nicholson's actions and attitudes in regard to Williamsburg as an imperial city were some of the most important and least appreciated factors in the breakdown of his relationship with the council and his ouster from the colony.  

Scholars have generally concluded that the building of Williamsburg represented a brief moment of consensus between Nicholson and Virginia's provincial leadership in the royal council and House of Burgesses. Despite their bitter disputes with a string of previous crown deputies, particularly Sir Edmund Andros, these men quickly consented to Nicholson's plan to construct a new capital city. Although Nicholson himself sketched out the new town plan, historians have given almost as much credit to men such as John Page and Otho Thorpe, who had already erected brick homes in the area, and William and Mary President James Blair, who perceived the benefits the college could reap from relocating the capital city to its doorstep. It has been seen as enough that all these men shared an appreciation of the grand designs and fine architecture that were coming to characterize polite gentry life in English towns. The colony, according to one group of scholars, had finally settled on an urban "prescription that worked." Amidst this perceived consensus, the only voice of opposition, belonging to Robert Beverley Jr., can be explained away by the financial and political capital he had invested in Jamestown. It has thus traditionally been seen as in spite of, rather than because of, the founding of Williamsburg that the Virginia Council later turned against Nicholson and conspired to have him driven from the colony.

84 "Benjamin Harrison Jr. to Francis Nicholson, Sept. 1[n]1698," FNP, CO 5/714, f. 46-51; Hartwell, Blair, and Chilton, Present State of Virginia, 12. For the fire at the Jamestown statehouse, see HJC, 1: 392-93, 397.
Two or three generations of wealthy Virginia planters were supposedly more than happy to enjoy Nicholson's legacy of a gentry resort town during the colony's "public times."^5

In reality, however, the momentous decision to move Virginia's capital in 1699 did not arise just from the lure of abstract cultural appeals to urban refinement. It was the product of the political wrangling that had gripped the entire Chesapeake and the imperial capital over the past few years. When Nicholson arrived in Virginia in December 1698, he immediately encountered a number of urban problems. The fire at the Jamestown statehouse less than two months before had scattered the public records across the muddy streets of the little town. Since then the council had been meeting once again in the grand hall of William Sherwood's residence that Effingham had used to hold court back in the 1680s, but with Sherwood now dead and gone, his widow playing host, and the "great Hall" also doubling as a storage closet for the colony's surviving records, it is unsurprising that the leadership described their circumstances as "reduced to so mean a condition." Labouring under this disadvantage in the autumn of 1698, the council was forced to respond to the Board of Trade's chastening questions about the continued lack of urban development under Andros tenure, and they consequently wrote a new assessment of the 1691 town act and its aftermath. They affirmed once again that they approved of limited port development to centralize trade, but only if that the king met the expense of constructing the necessary warehouses and wharves. If these circumstances were not trying enough, Nicholson was also

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confronted with new instructions to reorganize the colony’s land grants and political structure but only vaguely gestured toward renewing urban development. Along with the instructions, however, James Blair had also sailed back to Virginia, and he likely greeted Nicholson, with considerable gossip about the rival opinions of Blathwayt and Locke and the ideas he had aired in the report to the Board of Trade.86

Nicholson quickly seized on this confused situation. During the first few months of 1699, he felt out the provincial leadership of Virginia and established that Blair and other members of the council would support moving the capital to Middle Plantation, where the College of William and Mary already stood. Henry Hartwell had already told the Board of Trade that Middle Plantation would make a good site for a new capital. Blair was no doubt delighted at the idea of the capital moving to the site of the college, closer to his influence.87

Less than six months after arriving the colony, Nicholson gathered his first assembly and greeted the new delegates with a carefully orchestrated ceremony. He gathered them on April 27 so that they would have enough time to formally organize themselves but not begin debating before May Day, when he and Blair combined to invite them to travel to Middle Plantation to celebrate the traditional festival at the college. We have no way of knowing what events took place that day. All that has survived is the text of five speeches given by scholars at the college, praising learning and advocating the relocation of the capital to Middle Plantation. It would be a heady testament to the quality of education at the college if the students themselves wrote the speeches that they gave, because the vocabulary, classical allusions, and wordcraft were of a high order. It seems far more likely that Blair had a heavy hand in their composition; he later described the event as “scholastick exercises,” and he likely worked with the students to develop the texts. Although they were almost certainly

86 JSC, 1: 392, 395-98, 409. For Sherwood’s hall, see above, p. 227
87 CSP Colonial, 15: 1320.
preapproved by Nicholson, the speeches, especially their tone and arguments, resembled Blair's report to the Board of Trade two years before.\(^8\)

The speeches have never been comprehensively analyzed as treatises on the nature and purpose of urbanization, but the particular ideas they contained were distinct from Nicholson’s philosophy. Scholars who have considered the speeches in relation to the relocation of the capital have tended to concentrate on the third speech as a pitch for a new capital city, but in fact all five orations were heard together and combined to form a particular picture of colonial culture and its relationship to urbanity. The primary focus was on education in Virginia, advocating for the college as a place where the colony could produce gentlemen and aristocrats to compensate for their lack of an “old stock of English Gent.” Sending sons to be educated in England, the speakers argued, meant exposing them to the “Flesh potts of Egypt, the good eating & drinking, fine playes & Jovial Company.” If a new town was built at Middle Plantation, by contrast, the college’s students would be surrounded by “good company and conversation.” The speeches emphasized that the new site in the middle of the peninsula would be spared the rank multitudes of common sailors and the “filth and nastiness of a City” and would benefit instead from a “select” population. Although they advocated for markets, the commercial space was supposed to be a place where the wealthy men who frequented both the college and the capitol might “joyn our heads and purses together” into “Companys and Societies” to provide the basis for a “seat of polite Literature & the Liberal arts.” This new urbane culture created by the nexus of college and capital city was intended to appeal to a sense of colonial identity amongst the province’s leading planters. The speeches explicitly suggested that the city might “equal if not outdo Boston, New York, Philadelphia, Charlestown, and Annapolis.” They were also

careful to underscore the potential for the colony’s elite to inscribe legacy and memorialisation within a new urban sphere by dedicating the entire fourth speech to celebration of the college’s benefactors and suggesting that civil learning “makes our names to Live when we our Selves are dead.”

Many of these ideas reflected changes in the way the English gentry were coming to think about cities and towns in this period. Beginning in the late seventeenth century, provincial towns (particularly shire towns) across England, which had previously asserted their corporate independence and identity, began to welcome neighbouring gentlemen into the institutional structure of city life. Peter Borsay has mapped the way in which local landholders embraced a new urban identity and sparked what he terms an “urban renaissance” in provincial towns. County grandees spent part of their year in regional towns, founded new social institutions, and expended considerable amounts of money refining the urban environment. In effect, these provincial gentry sought to create, in county towns and resort towns such as Bath and Tunbridge Wells, the cosmopolitan culture of London without the pollution, corruption, and overpopulation associated with the capital. In the May Day exhortations that opened the debate about a new capital for Virginia, Blair projected precisely such a vision of urban renaissance and encouraged the colony’s leading planters to partake in it. It is hardly a surprise that such an elite formula came from the same pen that had, two years before, argued that ordinary colonists would not support town building because “having never seen a Town, [they] cannot therefore imagine the Benefit of it.”

89 “Speeches of the Students,” 326-29, 331-33, 336-37.
After watching James Blair's students complete their "scholastick exercises," the burgesses rode back to Jamestown to get down to the serious business of legislating a fresh start for Virginia's capital. Nicholson immediately produced sections of his new Locke-inspired instructions and they spent some days reading and digesting the ramifications of the suggested reforms. Although hearty commendation of urban development had been excised from the document, recent letters from London and the council's renewed investigation of the town issue kept it fresh in the minds of provincial politicians. Moreover, another county—this time Accomack—had prepared a plea for urban development that was delivered to the delegates. This, combined with May Day speeches, gave the burgesses much to think about, and they spent the entirety of May 9 debating urban plans and economic developments as a committee of the whole. The result was a new plan to resurrect the town act of 1691 by confirming the legal titles of anyone who had bought town lots before the act was suspended and opening new lots for sale again. This was a compromise intended to encourage further building at the town sites before restrictions on imports and exports could be reemployed. It was clear, however, that there was scepticism about resurrecting all the mercantile controls that colonial and imperial leaders had been pushing for.\footnote{Nicholson, though, was not interested in seriously debating the resurrection of the town plan that he had championed in 1691, and two days later he wrote to nudge the burgesses again on the location of the capital. He told them that locating the new statehouse at Middle Plantation would "tend to Gods Glory, his Majesties Service, and the welfare and Prosperity of your Country in Generall and of the Colledge in particular." This was ostensibly (Manchester, 1998), chaps. 1-3. For a challenge to the importance of the urban renaissance, see John Langston, "Urban Growth and Economic Change: From the Late Seventeenth Century to 1841," in Clark, Cambridge Urban History, 453-90. For resort towns, see R. S. Neale, "Bath: Ideology and Utopia, 1700-1760," in The Eighteenth Century Town: A Reader in English Urban History 1688-1820, ed. Borsay (Longman Press, 1990), 223-42; Borsay, "Health and Leisure Resorts, 1700-1840," in Clark, Cambridge Urban History, 775-804.}
the same argument that Blair had voiced through the May Day speeches, but there was a subtle difference in order – the welfare of the country and the college now took their rightful place behind the glory of God and service of the imperial crown. The distinction presaged considerable differences to come, but it did not stall the initial decision to move the capital – the burgesses approved the relocation to Middle Plantation the following day. From that point onward the session followed a pattern predictable to anyone who had followed Nicholson’s career in Maryland. He quickly dispatched surveyors to create land plats of the town adjacent to the capitol building that he planned, he publically led a group of delegates and council members to view and approve the precise site for the new building, and he made sure to iron out in careful detail the specifications for the grand new building that would house the colony’s government.92

However, the legislation that eventually created the town under the new name of Williamsburg represented a compromise between Governor Nicholson’s dreams of personal imperial control (akin to his nexus of power at Annapolis) and the elites’ determination to have a polite public space under their authority. Nicholson and the majority of the provincial leadership evidently agreed on many things, including an architectural form for the capitol that both sides could boast to be the finest in English America. It served both interests to create a wide baroque street and imposing public edifices, either as spaces for civic discourse or as symbols of imperial authority. Yet friction remained. The legislation cited the layout of the town, which had come largely from Nicholson’s pen, but it also described the whole town site as existing purely to serve the needs of the relocating assembly and made a point of noting that the town plat now resided in the offices of the assembly rather than the governor’s personal possession. Crucially, the legislation lacked provision for a gubernatorial

residence in the town, which had been explicitly demanded in Whitehall and pushed for by
Nicholson – the burgesses clearly believed that the new city’s sole priority should be the
capitol building. The question of urban governance also remained unresolved. The assembly
appointed a committee of trustees to hold and distribute the town land and provided for the
city’s eventual incorporation with aldermen and a council, but the trustees would ultimately
come under Nicholson’s control because he was given personal power to replace any who
died or displaced themselves into the “remote” parts of the country.93

Pursuing this popular relocation did not mean that Nicholson had abandoned his
autocratic vision of imperial city building (it bears remembering that the move to Annapolis
had initially been a popular decision). In fact, on July 1, 1699, having just secured the
assembly’s assent to move the capital, Nicholson wrote a treatise to the Board of Trade on
the art of governing a colonial society by balancing cities and hinterlands. He said that it was
imperative that “Commanders in Chief, may each live where ye seat of Government is” so
that they were always available in the colony’s nerve centre at a moment’s notice. It was vital
for the colony to have a central symbol of imperial power. “Not that I propose,” Nicholson
added, “that they shall never stir from thence,” for in Virginia it was vital that the governor
“go into several parts of ye Country, and at least once a year visit ye several Countys.” He
mused that the Roman emperor Severus may have believed he could govern his empire from
his sickbed in York, but such a conclusion “will not hold good here.” He went on to recount
for his London audience the story of Bacon’s Rebellion, blaming the unrest on Governor Sir
William Berkeley for his failure to appreciate the concerns of ordinary colonists. In keeping
with these principles, Nicholson began to put Locke’s proposals into practice, prying local
power from the control of the wealthy elites and touring the counties to ensure that his

93 HS, 3: 419-32.
efforts were successful. In sum, Nicholson believed that the governor must be “esteemed by ye people ... to be a lover of them and their country” through a complicated balance between a strong central capital city and a prevailing populist air about his governance. 94

During the next year Nicholson put this philosophy into action. He took personal control of the building projects in Williamsburg. Although the assembly had appointed a committee to oversee the work, it was the governor who, in July 1699, issued a proclamation calling for craftsmen and undertakers to build the new capital. By the autumn Nicholson was suggesting new ideas to speed up development: he fixed on a date the following spring when the provincial court would translate to Williamsburg and issued a passive-aggressive proclamation announcing the new capital so that “all people intending to provide for the reception and Entertainment of all such persons as shall attend the sd General Courts and Assemblies may have timely notice” to move their businesses from Jamestown. Just as in Annapolis a few years before, he insisted that the colony’s leading officers relocate to the new city too. He even deliberately delayed the meeting of a new assembly for eighteen months because he did not want to risk them gathering at Jamestown again and retrenching on their commitment to the relocation. 95

Nicholson was doing more than facilitating. He was imprinting his presence, and that of the empire, on the new city, something he achieved partly through public philanthropy. Technically, as governor, he was entitled to one-third of any confiscated property taken from illegal traders and pirates, but he made very overt gestures out of donating his portion to

fund the college and the construction of the city’s new creekside wharfs. These gifts not only tied him to the grand project of urban development but also symbolically positioned him as a servant converting the strict rules of empire into funding sources for the public good. 

During this eighteen-month period, Nicholson also elaborated on the basic town plan of 1699. The initial outline had contained only one main street linking the new capitol with the college. That street (which became Duke of Gloucester Street) represented the tie between the provincial political elite and the scholarly community that Blair had outlined in the May Day speeches. When Nicholson expanded on this framework, however, he added elements that made starkly different political points. First he planned for the governor’s residence, which the assembly had refused to countenance in 1699. He put the issue on the assembly agenda in August 1701 and selected a site abutting the north side of the town land; to reinforce the governor’s presence in the cityscape, and he then connected this site with Duke of Gloucester Street using a wide avenue that later became known as the Palace Green. The move forcefully shoehorned a gubernatorial presence into the city plan and made it an object of baroque perspective that rivalled the capitol and the college. Secondly, various sources suggest that the governor had the streets in the new town form a cipher of the letters W and M in honour of the king and his late queen. Urban-planning scholar John Reps has reconstructed a number of different possible locations for these letters in the city plan using the surviving maps from the later eighteenth century, and he suggests that the most likely location for the letters lay in a diamond pattern cutting across the large open space at the heart of the city, now know as Market Square. If this was in fact the location of the alphabetic streets, then it would have clearly and deliberately broken up the straight baroque sightline from college to Capitol, in the service of marking a symbolic royal

96 FJC, 3: 11, 107.
presence on the city. The combined effect of these moves by Nicholson can be identified in one of the first thorough descriptions of the new town, in Robert Beverley's *History and Present State of Virginia*, produced in 1704. Beverley vociferously disapproved of the relocated capital, and he was the first person to mention the W and M street layouts. He identified the entire project with what he saw as Nicholson's pretensions toward "being the founder of a great city." Although he had agreed to work alongside the provincial council to get the capital moved to Williamsburg, it was clear that Nicholson intended to recreate the pattern of political topography and imperial urban order that he had first trialled in Maryland.  

In keeping with the vision he had laid out to the Board of Trade in 1699, Nicholson also connected efforts at Williamsburg with a plan to reorganize local political order in the hinterland. Despite the debate at the Board of Trade and the partial resurrection of the 1691 town act, the governor did little to encourage further development at the various smaller town sites. Locke's plan for towns had called for the shipment of artisans and citizens, and in their absence Nicholson decided to pursue the course that had brought him success in Maryland – focusing on an imperial administrative centre and distracting attention from potential commercial power bases for the wealthiest leaders in the colony. As part of this plan he personally appointed county clerks and sheriffs without the customary advice of the provincial council, just as he had done in Maryland. He also attempted to reduce the number of large land grants as Locke had suggested, but he was unable to force through the key reforms of the headright system. Even more ambitiously, he proposed a plan to reshape the colony's entire county structure; he suggested "that some speedy care be taken to make all the Countyes in this Colony and Especially those between James River and York River from head to the Mouths thereof more Compact then now they are by Deviding and  

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Fig 9. The Frenchman's Map of Williamsburg, c. 1781. Image courtesy of the Special Collections Research Center, Swem Library, The College of William and Mary.

Although this map was drawn many years after Nicholson's initial city plan, it provides the clearest surviving outline of the street layout.

"Bounding them in some other manner." Unsurprisingly, proposals to shake up the entire structure of local offices and jurisdictions on which provincial leaders based their power met with resistance. Scholars have previously noted Nicholson's raft of ambitious plans for the colony's political topography, but they have failed to appreciate how intimately connected they were to his efforts at Williamsburg—a point Nicholson himself made by expressing particular concern about the structure of the counties between the James and the York where his new town was located. He was explicitly attempting to sort the colony's landscape with a new imperial order emanating from his own seat in Williamsburg. ⁹⁸

⁹⁸ JHB, 3 269, 279, 1JC, 2 181 82, Billings, Selby, and Tate, Colonial Virginia, 160 6⁷
In this context it was inevitable that relations between Nicholson and the local elite would decline. A powerful faction within the council grew suspicious of the fervour with which he meddled in the colony’s land sales and local militia structure, and they were also insulted by the ham-fisted way that he attempted to court Lucy Burwell, daughter of wealthy planter Lewis Burwell. By the spring of 1702 the tensions reached boiling point.

Williamsburg was taking shape amidst this tense backdrop—the Capitol was incomplete, but all government functions had been relocated from Jamestown and were temporarily housed in the college. Then news arrived of King William’s unexpected demise earlier that year and the subsequent ascension of Queen Anne to the throne. It had long been a tradition to proclaim the new sovereign in the colonies, but Nicholson seized on the event as a means to promote his new provincial capital in a way that befitted his particular vision of its role within the state. (The year before, he had attempted to organize a grand event for the town only to decide that it was unseemly in light of news of military setbacks in Europe.) The coronation was to be marked by two days of events in Williamsburg at the start of the new assembly session in June, the first memorializing the late king and the second proclaiming Queen Anne. The proclamation ceremony was to feature the “Council, Burgesses, Clergy, Rector, Trustees, Governors, Prsids, Masters, and Scholars of Wm & Mary Colledge ... also Commanding ye Melitia of York & James City, Troop of New Kent County, horse & dragoons of Charles City on ye North side James River, and of Warwick & Elizth City.”

The official documents are short on details, but visiting Swiss Protestant leader Francis Louis Michel left a thorough description of the event. Memorial sermons were preached, along with a number of pastoral poems that Nicholson composed. The militia

marched repeatedly up and down Duke of Gloucester Street, led by Nicholson, who was dressed in a changing wardrobe of fine fashions and sat atop a series of different horses, and accompanied by the sounds of bugles, oboes, and violins. After ceremonies had been held at both the college and the Capitol, the crowd of 2,000 settled down to camp under the stars and were treated to more punch and an excessively expensive fireworks display. The wives of the gentry were seated in a special grandstand, but the whole performance was clearly intended to wow the assembled masses of ordinary militiamen. The governor also made a point of distributing copies of the addresses honouring the new queen that had been issued by various English towns and cities in order to underscore the loyalty and order that political communities within the state were supposed to manifest and that he hoped to emulate through ceremonial Williamsburg. He made arrangements for his new capital city’s event to receive similar recognition in the London Gazette. The whole ceremony was designed to utilize the strengths of his new city: to draw in the surrounding population of ordinary colonists in order to inscribe meaning on the streets and to tie them to the imperial system directly rather than through their respective local grandees.¹⁰¹

Events, however, did not go entirely according to plan. Even before the revelry began, some burgesses and militiamen complained because Nicholson had drawn them to town at the height of the trading season, when merchant ships were busily loading up and down the bay. Then, on the evening before the main festivities, in commemoration of King William, James Blair gave a pointed sermon that lambasted the deposed James II and made some thinly veiled comparisons to Nicholson’s own style of leadership. When Blair refused to hand over a copy of the address, Nicholson’s temper got the better of him and the two

men exchanged bitter words. The following day, with the militia regiments in attendance, Nicholson had his personal chaplain, Peregrine Cony, give a sermon more to his liking, in praise of the new queen, which a number of his opponents described as sycophantic. The rival speeches articulated a disagreement over leadership within the empire – Blair celebrated the liberalizing Whig credentials of King William, while Nicholson celebrated the rise of a new monarch who might support greater imperial order.  

Having regaled the militias with Royalist sentiment, Nicholson then did the same with the libations, explaining later that “according to my duty I neither spared Cost nor Pains.” The lavish expense that the governor went to in treating the militia and honoring his new capital city drew considerable anger. Reports of his extravagance quickly reached England, and a friend wrote to tell him that the people “Cursed you for it, with the Meal and Drink you entertained them with all in their Mouths.” Nicholson’s enemies concluded that he was corrupting the manners of the whole country, with one witness swearing that “he saw five hundred drunk for one sober.” His friend advised that “the Common People are never more innocent and usefull than when asunder, & when assembled in a Mob, are wicked and Mad.” Even colonial officials in London, having heard these reports, cautioned that he ought to concentrate on more weighty affairs and “matters of Sumptuosity and Show may follow afterwards as you find you self able.” The following spring the council wrote to London that Nicholson was “endeavouring not only to regain the good opinion of the Common people” but also to set them against the provincial leadership. This was also how it appeared to the governor’s defenders; colonial customs official Robert Quarry wrote to

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102 Fulham Palace Papers, vol 14, no. 95, vol. 15, no. 45, 78, 103.
103 CO 5/1312 (pt. 2), f. 196-98; “Anonymous of ‘Chelsey’ to Francis Nicholson, Dec. 8th 1702,” FNP; CO 5/1355, f. 19-24. Scholars have ably pointed out the ways in which complaints such as these reflected disquiet about Nicholson’s perceived inculpability, but they also spoke to his enemies’ anxiety regarding his use of the town to muster, treat, and impress the ordinary men who made up the militia regiments, see Hardwick, “Narratives of Villainy and Virtue,” 51-53.
Whitehall that anger over the ceremony was rooted in Nicholson’s opponents’ jealousy of his appeal to the ordinary planters. Despite the claims that the militia cursed as they swilled their punch, the burgesses addressed a note of thanks for the celebrations during their next meeting, suggesting that some did drink liberally from Nicholson’s cup. We cannot be sure if the festivities could be counted a success for Nicholson, but they were clearly recognized as a distinctive populist use of the new imperial city plan. 104

Another illustration that the fight between Nicholson and the Virginia elite was not only about civility was the counteraccusations that Nicholson levelled at his opponents, particularly James Blair. The governor was riled by the way Blair sought to use his chambers at the college as a kind of hub for polite political society, gathering certain select councillors and burgesses “to drink Chocolate in the Morning, and may be Sometimes in the afternoon a Glass of wine.” Blair’s residence at the college came in for increasing scrutiny, eventually leading to speculation that the fire there in 1705 started in an ill-tended grate in his chambers. 105 Furthermore, Nicholson became embroiled in the print culture developing around Williamsburg. As early as the summer of 1703, he was rooting out gossip about him that was spread through unattributed letters that had been “mistakenly” dropped in the streets of the young town. The following year the paper on the streets multiplied as inflammatory poems by Blair and his colleagues were discovered nailed to trees and buildings around the town. This time Nicholson responded in kind with other poems and broadsides, creating a townscape that could, at least temporarily, be read as a political debate. The contrast to the ceremonial city of the coronation could not be greater — Nicholson intended the town to be a city of imperial spectacle, but Blair and his allies who had helped

104 CO 323/5, f. 50-56; CO 5/1314, f. 20-25.
105 CO 5/1314, f. 305-6; “Mungo Ingles to Francis Nicholson, 22nd Dec. 1705,” FNP.
to engineer the move then created a civic space of words and conversation, just as they had implied in the May Day speeches.\textsuperscript{106}

Ultimately, Nicholson proved unable to sustain his vision of the new colonial capital. Less than a year after the coronation, disquiet coalesced into outright opposition to his leadership. Rumours began to be cultivated in the colony that Nicholson’s plans for Williamsburg had been vetoed by officials in London. Leading planters utilised their merchant connections to foster such rumours. When the governor’s renewed instructions (which had to be resent due to the change of monarchs) arrived in July 1703, the suspicions were confirmed; Whitehall officials expressed no misgivings about the new capital, but they had simply copied the provisions of previous gubernatorial instructions, including the now twenty-year-old order that Nicholson rebuild Jamestown. Nicholson pushed the council to fire off a response explaining the cost of the work already completed, and he himself wrote to London singing the praises of the new Capitol, but the damage was done. In May 1703 six councillors had signed the first formal protest against Nicholson and dispatched Blair to London as a veteran lobbyist with a proven track record of unseating governors. During the next eighteen months, he used every tactic and tale that he could muster to paint an unceasingly negative picture of Nicholson, emphasizing his intemperate personality as well as his aggressive attempts to centralize control over county government and woo the mass of ordinary planters, which Blair likened to the demagoguery of Nathaniel Bacon. Crucially, however, Blair let slip his own discomfort with the way the governor had sought to take over the Williamsburg project, which he had assumed would fall under his own watchful eye. He cited the egregious demands that Nicholson had made about the building work, explaining that the governor had forced the hasty completion of the college building so that council

\textsuperscript{106} EJC, 2: 324; a number of the poems written by Blair, Nicholson, and their respective allies can be found in the Francis Nicholson Papers, Colonial Williamsburg.
meetings could be temporarily held there but then criticised the building’s shortcomings. Nicholson himself apparently kept an untidy and unfitting home in the new town, which Blair did not fail to berate. Despite having been a leading advocate of the initial translation of the capital, Blair also made political hay out of Nicholson’s attempts to deprive Jamestown of its customary separate burgesses in the assembly, citing it as further evidence of the governor’s meddling in local affairs in the name of centralization. Finally, and most dramatically, Blair connected Nicholson’s efforts at Williamsburg with his supposed plan to woo the class of ordinary planters and turn them against the provincial leadership. He told the Board of Trade than Nicholson had threatened to “take all the Servts as Cromwell took the Apprentices of London into his Army.” The choice of analogy here should not be merely dismissed as overdramatic: Blair was emphasizing Nicholson’s relationship with a particular definition of the city as a space where mobs could be formed and political powerbases could be built, no doubt remembering the scenes of Nicholson parading the drunken militia up and down Duke of Gloucester Street less than two years before.107

Nicholson had an answer to almost all of these salacious aspersions, and he had the sworn support of the colony’s clergy and a good portion of its burgesses. But he was no match for Blair’s industrious tattling. By the spring of 1705, the Board of Trade realized that even if the rumours were all false, Nicholson’s position in the colony was untenable. They recalled him with the assurance that he was still a valued servant of the imperial state. During the following twenty years, he would prove them right in Nova Scotia and Carolina, but his tenure in the Chesapeake had come to an end.108

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Nicholson’s legacy across both colonies was arguably more significant than any of his predecessors. His name has certainly become synonymous with the grand new urban developments at Williamsburg and Annapolis (partially because of the naming of Francis and Nicholson Streets in Williamsburg). However, because scholars have failed to appreciate fully the political and social ramifications of urban development in the region, they have overlooked the radicalism and importance of Nicholson’s work at these two sites and completely ignored his equal ambitions for Williamstadt. The governor would have been aghast to think that his urban projects had been reduced to a series of geometric puzzles and artistic expressions, because to him they were the product of a very particular imperial moment in the English Atlantic. During the 1690s the legacy of the Glorious Revolution was worked out and the influence of English merchants and imperial officials on the tobacco colonies was tested by war and economic uncertainty. In this context everyone from the justices of Princess Anne County to John Locke discussed and advocated for a particular kind of urban development in the region in an effort to address the pervasive instability. It is little surprise, then, that Nicholson understood the potential political power of a flourishing city. Through Williamsburg, Annapolis, and Williamstadt, he articulated a particular vision of a centralized, orderly imperial framework, seeking not only to address some of the concerns of reformers such as Locke by creating a space for ordinary planters to interact with empire but also to appeal to councillors who dreamed of an urban space of civility in the colony. But in both Maryland and Virginia colonists came to see his project as too centralized and too focused on strengthening his own position. As he pushed to reform the counties around Williamsburg and oversaw raucous parties from astride a white horse in the middle of Duke of Gloucester Street, he became Nic of Williamsburg as much as “Nic of Annapolis,” and the sidelined council began to plan his ouster.
Nicholson himself was frank about the nature of the situation: in the midst of planning Williamsburg, he wrote to London merchant Micajah Perry that “you know it is morally impossible to please everybody, or to satisfy their desires.” Nicholson had unfortunately found a formidable enemy in James Blair, but he still had allies in the colony. After he left, a rump of the clergy continued to resist Blair’s authority. The people of New Kent County – many of whom probably toasted the new queen with Nicholson in 1702 – also took their councillors to task, rejecting all of the complaints against Nicholson and questioning what right men such as Blair had to represent them in London. These events demonstrated that Nicholson’s tenure had altered the structure of local and provincial leadership in the church, the state, and the economy. Before he ever left Virginia, officials and colonial representatives in the metropolis resumed the debate over Chesapeake towns. In this sense, the framework for the Chesapeake’s eighteenth-century urban development was forged in the fierce battle against Nicholson’s vision.109

Chapter Seven

“all customs and libertys belonging to a free burgh”:
Rejecting the Imperial City, 1705-1710

On April 12, 1705, Secretary of State Sir Charles Hedges reluctantly sat down at his desk to pen an awkward letter on behalf of his queen. He had to inform Francis Nicholson that the weight of scandal and accusation against him in London had become too heavy to be borne by a nation preoccupied by global war. This letter ended more than a year of vicious rumour-mongering by Nicholson’s opponents in the capital. However, as we have already seen, Nicholson’s downfall was not entirely rooted in lewd stories of his improprieties – it was also predicated on the Virginia elite’s distaste for his centralizing vision for imperial governance, embedded in the streets of Williamsburg. It is no coincidence, then, that simultaneously with Nicholson’s ouster, the Virginia lobby in London began once again lamenting the lack of true urban development in the region, and the Board of Trade discussed yet another new town plan for the Chesapeake.¹

Resentment of Nicholson and the return of war to England had united provincial leaders and English merchants to inaugurate what would be the final attempt at wholesale urban establishment in Virginia and Maryland. The coincidence of circumstances that drew these men together, however, could not secure a viable solution to the problems that had plagued town development for two generations. In fact, the era of empire had pushed officials and colonial leaders further apart. The final flurry of urban planning that ensued in both colonies unmasked these differences in contests over provincial ports and colonial capitals. Local leaders grasped for control and articulated a new populist urbanization of participatory boroughs, reacting against Nicholson’s use of urban spectacle to appeal to the

¹ CO 324/29, f. 322.
colony’s middling sort. Meanwhile, English officials, entangled in an international conflict that was sapping the nation’s financial and mercantile resources, concluded that provincial elites would never buy into the kind of imperial towns they were prepared to countenance, and made alternative arrangements to secure imperial interests. This final transatlantic contest over urban ideals eventually led the Chesapeake gentry to fully articulate a distinctly rural vision of political topography for their region in the decades to come and brought an end to a century of concerted town-founding endeavours.

From the outset of this final town plan, officials in London were determined that whatever legislation was proposed for Virginia should be mirrored in Maryland, and both colonies produced new urban plans in this era. Yet the two provinces’ distinct economies and different social fabrics at the turn of the eighteenth century meant that their schemes and plans differed in detail; the Virginia plan boasted unprecedented corporate complexity, while the Maryland proposals sought to create an unparalleled number of towns. Although scholarship on both colonies during this period has focused on the emergence of a native-born elite, the common economic and imperial problem of town building that engendered subtly differing responses can help to demarcate the distinctions between this process in the two provinces. From the Susquehanna River to the Elizabeth River, colonial leaders rejected Nicholson’s imperial city and struggled with Whitehall to establish in its place the varied political topography of the eighteenth-century Chesapeake.

2 CO 5/1337, f. 54-55; Archives, 27: 70-71, 92
To understand why the Chesapeake colonies embarked on renewed urbanization legislation in 1706, it is necessary to look back at London during the autumn of 1704. Three Chesapeake residents, who were all visiting the metropolis helped to resurrect provincial town plans for the tidewater. Edmund Jenings, the president of the Virginia Council, had come to the city on business, but because of his high status in the colony the Board of Trade consulted him on a range of issues. During the autumn of 1704, he worked with his London merchant allies to propose a new plan for ports in Virginia. Elsewhere in Westminster, Robert Beverley Jr. (son of Governor Effingham’s erstwhile opponent over towns) was pressuring a legal suit that had been appealed to the Privy Council. While he waited for the machinery of royal justice, he penned his History and Present State of Virginia. Beverley, aware of his father’s vociferous town-building efforts in the 1680s, also had brothers still embroiled in the ongoing battle for urban development in Middlesex County. Urbanization and its explicitly political implications were at the very heart of his History when it emerged from the London press rooms in 1705. Finally, in another corner of the metropolis, a Presbyterian clergyman named Francis Makemie was also paying a brief visit. Makemie’s purposes in London are less clear, but during his stay he wrote a lively missive to his fellow colonists entirely focused on the virtues of urbanization, which was published in 1705. Because he lived near the Virginia-Maryland border on the Eastern Shore of the Chesapeake, Makemie’s Plain and Friendly Persuasive was addressed to both colonies and underlined the commonalities

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in the debate across the region. To understand why town-building reawakened in Virginia and Maryland in 1706, it is essential to appreciate the very different economic and political motives of these three men in London. It was on the complementary yet contradictory basis of their joint activism that this final project flourished and floundered.

The immediate context for the renewed zeal for town development was twofold. Most obviously, the change in Virginia’s governorship, which was successfully engineered by James Blair (also in London) during the summer and autumn of 1704, promised the chance to craft new instructions for his replacement. Nicholson had been a prolific urban planner, but as we have seen, the new colonial capitals he built came at the expense of renewed efforts elsewhere in the colonies. A fresh imperial order for provincial urbanization in the Chesapeake might offer an opportunity to loosen the centralizing strings of power that Nicholson had pulled so taut and return a measure of mercantile control to provincial elites.

Secondly, and more importantly for officials and merchants, after a five-year peace, the empire was at war again by 1702. England enjoyed early success in battle, but this came with a hefty price tag—much higher, in fact, than the previous European conflict. The English state was under renewed pressure to expand revenue. Seeking to enlarge the nation’s naval capacity, officials also faced less pecuniary challenges. With a limited number of seamen, they had to make efficient use of these resources by restricting the size of mercantile

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6 For Makemie’s life and career, see Boyd S. Schlechter, The Life and Writings of Francis Makemie (Philadelphia, Pa., 1971), 13-21. Makemie’s presence in London during this crucial year is less well documented than the other characters involved in this story, but on Apr. 5, 1705, he signed a suggested list of town locations for Virginia that was submitted to the Board of Trade, and the range of London merchants who also signed the document makes it unlikely that it was sent from the colony. See CO 5/1314, f. 330-31. For Makemie’s pamphlet, see Francis Makemie, A Plain and Friendly Persuasive to the Inhabitants of Virginia and Maryland For Promoting Towns and Cobabitation (London, 1705).

7 It is worth noting that during his tenure Nicholson had also deprived leading colonists of their profitable and powerful positions as collectors and naval officers, and the diversion of trade back to regional towns likely appeared a step toward regaining the oversight of trade. The places the London merchants explicitly suggested for ports included the likes of Corotoman, the plantation of Robert “King” Carter, who had been forced to resign his naval commission in 1699. For a general survey of Nicholson’s ouster, see Billings, Colonial Virginia, 160-69. For his efforts to sidetrack Maryland town legislation in 1694-95 and the foundation of Williamstadt, see above, p. 410-11.
convoys and speeding up turnaround times in the colonies. Expanding naval capacity also involved securing cheap and plentiful supplies of naval stores such as pitch, tar, and cordage. For these goods England normally relied upon Scandinavia and Russia, but northern Europe was caught up in its own conflict – the Great Northern War. The Board of Trade investigated the possibility of producing these goods in the colonies and questioned Maryland and Virginia representatives – including Edmund Jenings – about the colonies’ capacities for naval stores. Renewed war thus placed a variety of pressures on English officials, pointing once again towards reengineering Chesapeake trade and society. Revenues had to be maintained, but tobacco ships had to be turned around more efficiently, and colonial diversification, which always provoked ambivalence in the offices of Whitehall, once again offered concrete advantages for the nation at war. Officials were predisposed to hear new proposals, and our three Virginians promoted urbanization as key to the provinces’ wartime contribution.8

The men most attuned to these realities were metropolitan merchants who regularly discussed colonial policy with the Board of Trade. Edmund Jenings was well connected with these men, and when he came to the city they doubtless spent many long evenings discussing the tobacco business and wartime trade. When it became clear that Nicholson was going to be ousted from office in Virginia and, consequently, that new instructions would be drawn

up for his replacement, Jenings and the merchants went to work lobbying for a fresh urban plan for the colony. Jenings presented a petition to the board alongside London merchants Micajah Perry and Thomas Lane, of the prestigious Perry & Lane trading house, and Thomas Corbin. The petition reflect the weight of their legislative and mercantile experience; they knew that past plans accepted by the Board of Trade had been nixed at the Customs office, so they took their appeal directly to Lord Treasurer Sidney Godolphin, rather than relying on the board to secure the support of customs. This savvy move was backed up with an appeal pitched to win support amongst harassed officials desperate for war revenues.

Their petition never mentioned “towns” and only suggested the appointment of “ports” through which all incoming and outgoing trade would be channelled, which “will be greatly for the advantage and security of the Queen’s Revenue, and of Trade, and will be of advantage to the said Plantations.” The eight distinct advantages of their plan they then enumerated reinforced the idea that the needs of Virginia were an afterthought. Ports, they claimed, would make it easier for crown officials to inspect and tax cargos, and by extension to limit poor-quality tobacco; they also claimed that it would cut down on illegal trade and speed up loading and unloading of ships, which would cut freight costs, increase tobacco output, and free up sailors for the navy. Advantages to Virginia were purely incidental, and Jenings and his allies noted that they opposed more ambitious plan, so that “no hardship be put on any [on account of the plan], beyond the shipping and unshipping of goods.” This meant no provisions for craftsmen, public civic spaces, or restrictions on tobacco exports. These arguments were tailored to the interests of the large London trading houses and the top tier of Virginia planters – such as Jenings – and also represented the aspects of previous town-founding efforts that had received the warmest reception in Whitehall. It was hardly surprising, then, that the customs commissioners forwarded the plan to the Board of Trade.
suggesting it would “be for the benefit of the Revenue.” They left the board to decide “how far this Settlement may be for the Advantage of Trade in Generall, Or whether any Objection lyes against it upon that Account.”

London merchants had the ear of the customs office, but they were not the only voices advocating colonial urban development. Robert Beverley Jr. was also in London composing his History. That urban development played a part in his narrative is hardly surprising. A Jamestown landowner, he deeply resented Nicholson’s relocation of Virginia’s capital to Williamsburg; he had been the burgess for Jamestown at the 1699 assembly when the new capital was approved, and pointedly walked out of the session moments after the vote. In his History Beverley argued that Nicholson was driven by “the fond Imagination, of being the Founder of a new City.” But the Jamestown-Williamsburg battle was not Beverley’s only provocation for addressing towns; he also had an interest in the plans for provincial towns in the colony’s counties. During the summer of 1704 while Robert was in London, his younger brother Harry was pleading with the Middlesex court to reinvigorate the stalled county town on Rosegill Creek. Although Robert likely did not know the details of these events while he wrote the History, he had likely conversed with Harry about the plans before he set off across the Atlantic. Beverley’s History was pockmarked with references to urbanization. Towns “well executed,” he confidently proclaimed, “would have answer’d all [Virginia’s] Desires.” The failure to urbanize formed the heart of his critique of the colony’s governance within the empire.

9 CO 5/1314, f. 315-18. Jenings had a wealth of commercial connections, but his links to the Corbin trading family are the clearest – Thomas Corbin had been born in Virginia and was the brother of Jenings’s wife. See Darrett B. Rutman and Anita H. Rutman, A Place in Time: Middlesex County, Virginia, 1630-1730 (New York, 1984), 266-67 n. 47.
10 JHB, 3: 196.
11 Rutman and Rutman, Place in Time, 218; Beverley, History and Present State, 72. For the town-planning activities of Robert Beverley Sr., see above, chap. 3.
Beverley's concerns, however, were certainly not the same as those of the London merchants. In fact, when his *History* recounted the failures of urbanization it invariably pinned the blame on English merchants or imperial officials. He noted, for example, that the 1680 act had been “brought to nothing by the Opposition of the Merchants of London” and that the 1691 town plan failed because Nicholson “tack’d about” on the issue and stirred up opposition to towns, owing to his fickle personality and mercantile corruption. The extent of his divergence from the merchants’ proposals can actually be starkly observed in the courtroom of Middlesex County. When Harry Beverley presented the proposal for reestablishing the county’s town (which he had likely discussed with his brother), it was actively opposed by two of his fellow county justices, William Churchill and Gawen Corbin. Churchill was a provincial councillor with commercial connections to many of London’s largest merchant houses, and Corbin was none other than the brother of Thomas Corbin, who was just then formulating the new petition for Virginia ports with Jenings. Different definitions of urbanity were at work in these transatlantic confrontations. Both Robert Beverley and Thomas Corbin were advocating town development in London, but their brothers were squaring off over the very same topic in Virginia.

Robert Beverley Jr.’s own vision for an urban Virginia emerges throughout his *History*. Beverley did emphasize the defensive capacities of towns and cities, arguing that urbanization under Berkeley in the 1660s had come about because “About this Time they sustain’d some Damage by the Dutch War.” But his far more pressing concern was with towns as locations for trade and manufacturing. His narrative clearly reflected his father’s

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13 Rutman and Rutman, *Place in Time*, 218, 266-67. Alexander Haskell has pointed out the way in which Beverley’s narrative turns after 1676, and the way in which he seeks to portray the failure of state building in general as a result of imperial policy, but it is worth noting that Beverley reserves as much scorn for self-interested London merchants as for servants of empire. See Alexander B. Haskell, “‘The Affections of the People’: Ideology and the Politics of State Building in Colonial Virginia, 1607-1754” (Ph.D. diss., Johns Hopkins University, 2005), 364-65.
belief that towns would generate crafts and raise the ever-dwindling price of tobacco. When discussing his father’s town plans of the 1680s, he made a particular point of using the full title of the legislation: “An Act for Cohabitation, and Encouraging of Trade and Manufactures.” According to the History, efforts toward manufacturing and diversification were what made Sir William Berkeley “industrious for the Good of the Country,” but imperial interests led Nicholson to shut down all cloth manufacturing so “that the Planters shall go naked.” Beverley saw the limits on manufacturing as part of an effort to impoverish the colony and subject it to metropolitan authority, and thus he explicitly rejected the view of Jenings and the merchants that imperial interests automatically took precedence over provincial concerns.14

But scholars have been wrong to attribute Beverley’s views entirely to a burgeoning creole pride. In fact commercial and artisanal towns were part of his particular political vision, drawn from the English civic tradition, of how to assert local authority and address problems that he perceived with his poorer neighbours in the colony.15 Beverley was fascinated by the wild and fertile Virginia landscape, but he was also ambivalent about its effect on colonists; abundance, he suggested, had made colonists contented with “a supply of Food from hand to mouth,” and “by reason of the unfortunate Method of Settlement, and want of Cohabitation, they cannot make beneficial use” of their resources and instead live in “slothful Indolence.”16 Urban craft markets, then, would not simply raise the value of

16 Beverley, History and Present State, 319. For analyses that emphasize the connection between Beverley’s ambivalent attitude toward Virginia’s landscape and his interest in town development, see Leo Marx, The
the colony’s exports or assert its economic rights (a process that John Rainbolt termed “provincial mercantilism”); they would also provide a motivation for poor planters to try new crops or learn new skills. Towns filled with craftsmen would stimulate economic demand and supply, altering the relationship between colonists and their environment, even for those who remained in agricultural pursuits, and forcing everyone in Virginia to become more industrious.  

This urban formula might also adjust the political order within the colony that Beverley felt had been out of kilter for the past twenty years (and especially since Nicholson’s return in 1699). He claimed that the dispersed population had recently been corrupted by imperial officials and London merchants. Nicholson, for example, had capriciously changed his mind about town development and whipped up popular opposition that ultimately doomed the plan. Beverley explained how the governor always sought to drive a wedge between the provincial leadership and the people. For this reason, despite its indisputably being a new city, Beverley resented what he called the “imaginary city” of Williamsburg – as discussed in chapter 6, it lacked the social and economic functions of a local community centre and was orientated purely around Nicholson and the link between the crown and the people. By contrast, Beverley emphasized the paternalistic care that county leaders provided for the poor in their communities. In provincial towns they might be able to safely oversee civic institutions that could draw poorer colonists away from the

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Machor advances an interesting argument about the dialectic between early modern and Enlightenment urban ideals within the *History*, but his contention that Beverley saw English urban forms as inherently corrupt and was seeking a more pastoral urbanity for Virginia is difficult to reconcile with the content of the Virginia town legislation that Beverley was very familiar with and that he praised. Beverley saw the potential civic relationships between classes and people within the town as more important than the relationship between the nascent city and its environment.  

soporific landscape not only economically but also culturally, and in the process firmly reunite the colony’s social classes.  

Beverley’s dream of manufacturing towns was rooted in the same desire for local control that had compelled his father during the 1680s. This was not simply a desire for financial gain or a search for symbols of the colony’s maturity; it was rooted in a fear that the bonds of provincial society were breaking down as the distinctions between elite planters and poor colonists widened and the slave labour force increasingly cut big planters off from their poor white neighbours. Both Beverleys were attempting to reestablish gentry influence after it had been tested and strained, first by Nathaniel Bacon and then by Francis Nicholson. Despite some commonalities, this was a distinct strand of urbanization from the one embraced by the other Virginia gentlemen who travelled to London in the early eighteenth century to consult about the colony.

Nor was everyone who was talking about tidewater towns necessarily a member of the upper echelons of colonial society like Beverley and Jenings. Francis Makemie, had lived on the Eastern Shore (intermittently relocating back and forth across the Maryland-Virginia border) for nearly two decades and had establish Virginia’s first Presbyterian church there, and he also had extensive missionary and mercantile connections with Barbados. Although a clergyman, he was by no means poor or unacquainted with the pressures of Atlantic commerce – he had inherited a considerable fortune from his father-in-law, including lots in the town of Onancock, which had been laid out during the 1680s. However, being one of the few dissenting clergymen in an Anglican province, from a non-tobacco region of the colony and without family connections to the planter elite, he was still in a different social

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and cultural class to the likes of Jenings and Beverley. Nonetheless, when he reached
London in the summer of 1704, on a mission to recruit Presbyterian clergy for the colony,
he too became aware of the new urban plans afoot. He was even asked by the merchant
community to join their entreaties to the crown. But in the early months of 1705, after
Edward Nott’s appointment as lieutenant governor, he penned a pamphlet – *A Plain and
Friendly Persuasive* – that laid out his own vision for urban development in both Virginia and
Maryland. Like Beverley’s *History*, it relied more heavily on civic ideals than the merchants’
petition, but it was also notably distinct from the arguments advanced by Beverley’s work.20

Makemie’s *Persuasive* was unique in several ways. It was addressed “to the Inhabitants
of Virginia and Maryland,” while the merchants had written purely for the Board of Trade.
Beverley’s *History* was an expensive volume to compete with weighty tomes such as
Oldmixon’s *British Empire in America*, but Makemie’s text was brief (a mere fifteen pages),
simply and evocatively written, using pejorative labels such as “stupid,” and intended
explicitly for anyone who inhabited either colony. Makemie, having commissioned a private
printing of his epistle, clearly envisioned distributing it across the Chesapeake region.21 This
is not to suggest, however, that no copies of the pamphlet reached English merchants or
officials or senior colonial figures. In fact, the question of audience remains mutable
throughout the text, with Makemie initially dedicating his work to the new Virginia
lieutenant governor, Nott, then specifically addressing colonial assembly members about the

20 Francis Makemie, “A Plain and Friendly Persuasive to the Inhabitants of Virginia and Maryland For Promoting Towns and Cohabitation,” reprinted in *MHB* 4 (1896): 255-71. For Makemie’s signature on the merchant plan, see CO 5/1314, f. 330-31. His pamphlet also demonstrates that he knew about the efforts of London merchants to secure urbanization and that he saw his own proposal as complimentary. See Makemie, “Plain and Friendly,” 258.
21 The tract was printed by John Humfreys of Bartholomew Lane in London (Makemie, “Plain and Friendly,” 255, 268). An example of Makemie’s wit can be seen in his concluding paragraph, where he lambasts “sots,” laments their foolishness, and advocates placing them in “Stocks in Town” as a further urban argument. Ibid., 271.
ideal form of town legislation, and finally responding to specific concerns about urbanization that bore the voice of both English merchants and common planters. Even in these cases, however, the tract redirects emphasis to the popular audience and seeks to remind officials of their responsibilities to the body politic; for example, Makemie reminded legislators that they were culpable for “that Trust reposed in you, as Representatives of the People” and emphasized to Nott the kind of public fame he might gain by assisting with the foundation of towns. Though Makemie clearly intended to influence all sections of the urban debate, he did so with a voice consciously constructed to appeal to a popular audience.

His decision to emphasize the political power of common planters reflected Makemie’s message about urbanization throughout the Persuasive. He believed towns would enhance the opportunities and rights of ordinary men and women and help them to realize a civic identity. Rather than totting up the financial gains for particular planters, he appealed to colonists’ “Publick Spirit” in pursuit of what he termed the “Universal Benefits” of towns. True to the ideal of urban civitas rooted in the close communion of urban neighbourhoods, he asserted that the “Example of a severe and Virtuous conversation” in town would reform the morals in the region “from Highest to Lowest.” He was also fully cognizant of the recent divisions between Nicholson’s supporters and opponents and the tensions between social classes in the Chesapeake, warning all men to “Arm yourselves against such dividing debates” through an urban plan that might appeal to all men regardless of standing.

Makemie’s concrete advice on the town development process underscored this populist vision. He suggested that initially the leading planters would have to invest and build homes, “complying with your own laws,” so that “the poorer sort of Inhabitants be left to follow the example of those of greater ability, and not imposed upon beyond their

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21 Ibid., 256, 258-60.
Strength.” He was subtly referencing the trade restrictions and expensive lot prices and building costs that some common planters had resented. Ultimately, however, the new towns Makemie envisioned were not to be dominated by the colonial gentry. Firstly, the colony was to welcome “Traders and Strangers” in order to promote a mixed economy. He saw nascent colonial towns as magnets that would draw in small independent English immigrants to balance the recent influx of slaves. Secondly, Makemie hoped to attract a range of poorer men and women who currently farmed marginal land in the colony and convert them into townspeople or market traders. Towns not only offered the potential for craft apprenticeships to men who farmed “wastes” not capable of producing high-quality tobacco but also promised a “ready Market” for “all Provisions that we can spare, and make no use of ourselves” and a viable demand to encourage expansion of the colonies’ fishing industry. In short, Makemie believed that “if Towns were promoted many poor People would produce more” and gain prosperity and security. He emphasized that urban property ownership was within reach for anyone in the Chesapeake who chose to pursue it: towns were to be built not by capital and mercantilism but rather by the land that many men owned, by the lumber that was abundant on every estate, and by the bricks that could “be made at every man’s Door.”

Once poor and middling planters relocated to new towns, Makemie believed they would discover a distinctive political and cultural identity. Being a clergyman, he naturally noted the capacity of towns to promote access to centralized religious teaching and worship. However, his vision of the urban church was vastly different to that of the Rev. Roger Green, the ally of Sir William Berkeley who was the only other clergyman to write about urbanization in the region. Where Green had emphasized towns’ capacity to police the

24 Ibid., 261.
25 Ibid., 257, 261-63.
population, to root out doctrinal error, and to force church attendance, Makemie focused on empowering ordinary men and women to make their own religious decisions and not to be constrained by the Anglican ecclesiology of Virginia. He described religious services as “Privileges and Opportunities” rather than obligations and argued that urban congregations would be better able to catechise “children and servants” who were ignorant of Christianity. Towns would serve to craft an informed, civic-minded, and engaged populace through better schooling and the opportunities for apprenticeships and craft guilds.26

Of course Makemie was not ignorant of the wider audience to whom his pamphlet would be distributed, and so amongst his appeals to common planters, he did detail the mercantile and imperial advantages towns would offer. Nonetheless, even here Makemie’s case rested on a particular kind of populous, civic town with a middling population. For example, like the merchants and Beverley, he imagined towns and cities as bulwarks to defend the Chesapeake from military assault, but instead of highlighting fortified harbours, he pointed to the fact that urban centres would draw additional immigration to increase the region’s population, fill in its empty acreage, and “so add to our strength, and render us more formidable against all Enemies.”27 Likewise, Makemie highlighted the capacity of towns to regulate the tobacco trade, but not by providing an urban base for a multiplying army of customs officials and merchants factors. Rather, he believed that the civic qualities of urban life – the public marketplace and the supervision of a commercial community – would ensure fairness and equity: “many who now carry on Fraud against Strangers, by trading in a corner, at private Plantations, would soon be ashamed of such things at a publick Market.” He was suspicious of the local elites’ dreams of using towns to control the tobacco market; for Makemie urban spaces should be open markets for tobacco that contrasted with the

26 Ibid., 264-65, 267. For more on Roger Green’s Virginia’s Cure, see above, p.117-19.
27 Makemie, “Plain and Friendly,” 262.
monopoly that large planters currently exercised by buying up local tobacco at their private plantations. Towns would also be a location from which middling colonists could initiate a rival intracolonial trade to New England and the Caribbean. The *Persuasive* addressed all the same advantages of towns at the turn of the century, but it did so in a radically different way from the other town advocates. Like the merchants, Makemie sought a more regulated trade, but aimed to achieve it through the traditional machinery of urban corporate oversight, not the controlling hand of the state. Like Beverley, he advocated a diversified economy, but he did so without the elite’s concern for their tobacco prices, their burgeoning plantations, and their control over local political economy.28

Makemie’s assessment of the state of England’s Chesapeake provinces and their need for urbanization was rooted in anxiety not only about the impositions of empire in the region, but also the impact of the increasingly dominant slaveholding elite. At one point he noted how “greedily” certain members of colonial society expanded the workforce of servants and slaves. In this respect the *Persuasive* resembles John Locke’s plans in the late 1690s to promote emigration and attack the dominance of the slaveholding elite. Makemie, however, went into far more detail in connecting urban development with the cultural, economic, and civic role of middling colonists in Chesapeake society. His distinctiveness is most striking when compared to Roger Green’s proclaimed goal of “reducing” colonists to towns. The *Persuasive* actually refers to rurality as the “fetter” that must be shaken off, and the town as the space where freedom could be realized within the Atlantic world.29

Jenings, Beverley, and Makemie were all part of the busy throng going about their private business in wartime London. Each had an interest in the Chesapeake’s development

28 Ibid., 263-66.
and each came to realize that with Nicholson’s dismissal and the chaos of war, they could promote renewed efforts to urbanize the region. We cannot be sure if all three men rubbed shoulders while they composed their respective plans, but they were all part of a lobbying campaign that bore considerable fruit. Nott’s new instructions tasked him with making a dramatic effort towards urbanization in Virginia. The fingerprints of all three men were evident. The Board of Trade agreed that the primary concern ought to be English trade, they limited the number of locations to fourteen, and they suggested that the plan be drafted with the cooperation of Chesapeake customs officials. In deference to Beverley’s perspective, however, they explained that “care ought to be taken that the Planters as well as Merchants may be satisfied therein” and that the assembly be allowed to draw up the plan. Equally, borrowing from Makemie, they expressed anxiety about common planters deserting Virginia, and also advocated expanding the urbanizing effort to Maryland, which only he had suggested. Despite contradictions, then, these three perspectives had been able to birth a consensus and a set of firm instructions. Yet as Nott and the three urban advocates voyaged back to the Chesapeake in 1705, it was inevitable that, amid such contradictions, the new lieutenant governor faced a herculean task to convert his general instructions for towns into a plan that would take root on the banks of the bay and win approval in the offices and trading houses of the metropolis.

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Lieutenant Governor Nott arrived in Virginia in the late summer of 1705. The order about urbanization was also dispatched on the same convoy to John Seymour, who had become

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30 This assertion is based on the fact that Makemie signed one of the merchants’ petitions and that Beverley was well connected enough with officials in Whitehall to get access to private letters sent by customs officer Robert Quarry. No evidence exists that definitively places them all in a single meeting. See CO 5/1314, f. 330-31; Billings, Colonial Virginia, 168-69.

the new governor of Maryland the year before. Over the next few months, both men attempted to forge town plans for the Chesapeake that would serve the wider empire. However, they quickly came to appreciate the stakes involved. Even before Nott arrived in August, Robert Beverley’s brother Harry had brought an angry protest over the town in Middlesex County to the spring assembly. Equally important, Virginia and Maryland’s county communities were coming ever more securely under the control of local elites, which promised to complicate the practicalities of enforcing whatever legislation was passed. Nonetheless, the Virginia General Assembly began discussion for a new town plan during the winter of 1705-6 and the following spring Maryland embarked on a three-year battle to do likewise. Both colonies saw the beginnings of some genuine urban settlements, but the political and commercial compromises of these negotiations ultimately tried the patience of Whitehall officials and led them to annul the legislation and finally quash the whole concept of a province-wide town act.

Despite the furious lobbying in London, the final years of Nicholson’s tenure had been relatively quiet in Virginia itself. Yet, concerns and questions that were raised pointed toward the trouble over towns that lay ahead. Nicholson had proposed new plans for restructuring the colony’s parishes, based on a small collection of complaints about inconvenient church locations. The burgesses consented to a number of specific requests for division of parishes that were submitted to them by local communities, but they flatly dismissed the idea of allowing Nicholson free rein to meddle in the ecclesiastical structure. The issue of parish structures would play a role in Nott’s subsequent efforts to legislate towns. Furthermore, in the spring of 1705, the “Inhabitants of King and Queen County,” on the western frontier of

settlement, petitioned the assembly requesting permission to buy fifty acres of land “for a Town in The said County.” The burgesses clearly found nothing objectionable, because they quickly assented, but two things about the proposal are worth noting. Firstly, the petitioners resurrected the concept of the county-town by suggesting that the county be empowered to take on the work, rejecting Nicholson’s desire to overshadow the county-town formula with his grand projects for capital-city building. Secondly, the fact that the plan issued from King and Queen is significant because one of its leading landholders was none other than Robert Beverley, who was currently finalizing the details of his History in a London print shop. Because local records from the county are lost, it is impossible to assay the importance of these factors, but the King and Queen appeal hinted at the turf on which the coming battle would be fought.31

During the spring 1705 session, the burgesses also dealt with a more complicated and bitter local urban debate. The town commissioners from Middlesex County, Harry Beverley and Christopher and John Robinson, had brought a complaint about the construction of a new county courthouse that had begun near the centre of the county. As sons of two of the leading town founders in 1680s Middlesex County and newly appointed feoffees for the town land, they resented the fact that the courthouse was not being built in the perpetually controversial town site that had been repeatedly planned for Rosegill Creek. They were facing off against new county elites, including councillor William Churchill (who had succeeded to the Wormeley fortune) and Gawen Corbin (brother of London merchant Thomas Corbin), who had grown sceptical about developing a vibrant market centre under the leadership of ambitious rivals such as Beverley and the Robinsons. Harry Beverley and the Robinson brothers had attempted to erect a courthouse at the town site on Rosegill

31 Ibid., 4: 92, 109-10, 119. For Beverley’s connections to King and Queen County, see Tarter, “Beverley, Robert Jr.”
Creek in the summer of 1704, just after Robert Beverley Jr. had left for London, but the county court blocked them and initiated work on a new structure in the middle of the county near the home of George Wortham, where the court currently met. The snubbed young men took a series of appeals to the provincial council during the following six months. The fight escalated in intensity through the winter, with Harry Beverley even assaulting one of his opponents. When the assembly reconvened in April 1705, they were confronted with two implacable lobbies from Middlesex, one pushing for the development of a courthouse town and the other insisting that the court remain where it was. Eventually the burgesses attempted a compromise, agreeing to build a road to the new town, leaving the courthouse at “Worthams plantation Where Some of The Materials for Building the Same already Lys prepared.” That was never going to satisfy the town boosters in the county, and so even though a new courthouse was quickly erected at the old site, the dispute rumbled on for most of the rest of the decade.34

Two crucial features of the Middlesex dispute affected the development of provincial town legislation the following year. Firstly, the town advocates in Middlesex were not actually acting to enhance their commercial position in Atlantic trade through urban shipping restrictions because until Nott arrived in 1705 nobody could be sure that a new town act would be drafted with restrictions on the tobacco trade; the whole campaign over the previous winter in Middlesex focused on the location of the courthouse as a political centre of the community as well as on the building of a road to link the town to the county’s primary internal transport arteries. Beverley and the Robinson brothers were thus focused on making the proto-urban space over which they had suzerainty into the hub for ordinary men and women in the community to seek justice, barter goods, and exchange news. They

34 LfC, 2: 391, 403, 432-33; JHB, 4: 94, 96, 100. Middlesex County Court Order Books, 3: 570, 578, 602-3, 627-28. For extensive discussion of this dispute, see Rutman and Rutman, Place in Time, 217-25.
had an expansive vision of the town, in keeping with the ideals that Robert Beverley and Francis Makemue were articulating in London. The issues of roads and county courts would both become bound up with the new town act later in 1705. Secondly, in fighting for the development of the town these men crafted a justification of popular support. In October 1704, they had presented a petition to the provincial council “signed by the Major part of the Freeholders of the said County.” Beverley’s father had used petitioning as a technique to stir up revolt in the county in the 1680s (a point opponents of the younger Beverley and the Robinsons were not slow to make), and they replicated this technique in an effort to portray themselves as selfless leaders of the middling sort and representatives of a civic community that already existed but lacked the physical form of an urban space. Their actions exhibited vivid parallels to the ideal of towns as spaces for gentry patronage of common planters that was emerging from Robert Beverley’s History. This strain of thinking translated unmistakably into the plans for civic political structures in the new provincial town legislation in 1706; that translation was partly due to the fact that the popularity of the town within Middlesex county (evinced by the petitions) swept Harry Beverley and Christopher Robinson into the House of Burgesses when Nott called new elections in the autumn of 1705.35

This complex context greeted Nott when took up the lieutenant governorship, armed with instructions to establish a limited number of tobacco-trading towns to ease Atlantic commerce. In his opening address to the assembly on October 24, 1705, he noted the proposal as one of his priorities, explaining that he was “Comanded by her Majesty to propose to Your Most Serious Consideration The Making a Law for Erecting Towns Warehouses Warfs and Keys in Convenient places [because] the advantages naturally

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35 Darrett and Anita Rutman scrutinized the dispute in Middlesex County in considerable detail and suggested that it represented a battle for commercial influence amongst various families and generations of the county elite, but they overlooked the importance of civic political discourse in the debate, see Rutman and Rutman, Place in Time, chap. 7; for the petition, see FJC, 403; for the election results, see JHB, 4: 134, 139.
proceeding from Such things are Innumerable and So Much Wanted That I Think There is no Occasion of any Argument to Convince Reasonable Men.” Nott’s confidence, however, rested on the alliance of interests forged in London between the merchant-planter nexus, Robert Beverley, and Francis Makemie. In preparation for the session, he had agreed with the council to reestablish the electoral privilege of the now practically deserted Jamestown (which Nicholson had removed) in order to engineer Robert Beverley’s election as a burgess for the old capital and an ally in the chamber. Makemie attended the session to distribute his Persuasive, which the burgesses reviewed alongside Nott’s instructions. They sent the whole package of materials to the Committee for Propositions and Grievances, on which Robert Beverley and Christopher Robinson had both been able to wrangle seats.\footnote{EJC, 3: 30, HJB, 4: 130.}

Within a couple of weeks, however, Nott likely realized that it was going to be hard to extract a plan that fit metropolitan expectations. It was almost a month before the committee reported on the town issue. Meanwhile the assembly was preoccupied with the major task of recodifying the province’s statutes, the culmination of quite a few years of committee work, but also a means to begin chipping away at the imperial authority Nicholson had established. They spent long hours debating plans to prevent governors from unilaterally appointing county sheriffs (an innovation Nicholson had introduced), to reinforce their own control over the administration of elections, and to regulate the colony’s clergy and democratise its parish vestries through regular elections. Nott eventually vetoed the attempt to revoke his power over shrieval appointments, and the council and burgesses squared off over the plan to institute regular vestry elections.\footnote{HJB, 4: 137-45, 153-54, 157; LJC, 438-42. For discussion of the vestry dispute, see Haskell, “Affections of the People,” 335-38; for discussion of Nott’s attitude toward the issue of county courts, see Billings, Colonial Virginia, 170-72.} All of these innovations demonstrated that the burgesses had no intention of surrendering further local control to
imperial officials and were minded to regain much of what they had lost. They also
demonstrated this point when they ruthlessly suppressed what they described as “Mutinous
Seditious & Scandalous” petitions from the populace of New Kent and King William
counties. The petitions had called for a range of land reforms and diversification efforts in
support of small planters and had criticised the assembly and council’s treatment of former
governor Nicholson. None of the burgesses for these counties were chastised, however,
reinforcing their position as the legitimate spokesmen for their communities, unconnected
with the subversive petitions of their fellow county residents. Nott had been tasked with
calming the tensions in the divided colony, and in large measure he succeeded by
countenancing these assertions of assembly power. In the process, though, he made it far
harder to fulfil the key instruction about towns that he had been given by Whitehall.36

Finally, on November 22, the Committee for Propositions and Grievances returned
their opinion that Nott’s proposals about towns, ports, and wharves would be
“advantageous to The Country.” However, instead of consulting with the new lieutenant
governor and the crown’s customs officials, as Whitehall had envisioned, the burgesses
agreed that a subcommittee ought to draft the proposal. The identities of those appointed
were hardly a surprise: amongst the five were both Beverly brothers (Harry and Robert) and
Christopher Robinson. Obviously these men had already demonstrated an interest in the
town-building project and so they were natural choices, but their selection also carried the
disputes about local community politics and the civic potential of towns from the banks of
Rosegill Creek to the committee rooms of the Capitol. To add to this mix, the burgesses also
assigned the subcommittee two further appeals to consider, both arising from Makemie’s
Accomack County community: for the promotion of “Linen and Woolen Manufactures,"

36 JHB, 4: 140-41, 146-47, 150 (quote, 147).
(which the burgesses concluded would be easily accomplished by the town act) and “for The Encouraging Trade and Rendering The Transporting of all goods to Towns More Easy for The poorer Sort Who Live at a great Distance from Them.” The first of these plans explicitly connected towns with manufacturing, running counter to the imperial priority of discouraging diversification in the direction of fabrics that would compete with English woolens. The latter bore all the hallmarks of Macfie’s concern for the “poorer Sort” whilst also being palatable to Beverley and Robinson, who were still fighting hard for a road to their new town in Middlesex.9

The subcommittee had ample time to digest these proposals and cogitate on a radical new plan for town building because a week after its members received their assignment Nott agreed to a winter recess in the session in light of worsening weather in Williamsburg. When the assembly reconvened the following May, Nott mildly chastised them for their tardiness during their previous meeting and their continued factional strife, but this still did not speed proceedings in the towns committee, which spent a further two weeks carefully crafting a plan before bringing it to the burgesses on May 11. The burgesses took no action on the plan for four days as they hammered out legislation to reorganize parishes and county courts. Not until these issues were nearing settlement did the men of the lower chamber feel comfortable considering a plan for towns that would both reinforce and rival the county benches. During the final two weeks in May, the members spent many hours assembled as a committee of the whole debating the various points of the plan, but unfortunately the details of their discussions do not survive. Whatever changes were made, combined with the distraction of the other controversies that lingered, were sufficient to secure approval for the finished legislation, but the council later confessed that “it was with no little difficulty that

9 Ibid., 4: 165-66.
this Bill received its passage.” The Beverley brothers had escorted the finished paper between the two houses, introduced it to both sets of legislators, and made whatever changes were necessary, with the deft political touch that was the hallmark of their father before them.  

The result was the most ambitious urban plan ever developed for the tidewater region. It was unmistakeably a product of events in London and Middlesex and the parallel debates over county and parish powers in the chamber. Imperial officials’ advice to Nott had been vague, and the preamble to the act made it clear that the burgesses had chosen to interpret the lieutenant governor’s instructions in a particular way. The act opened by noting Queen Anne’s “princely care of this her colony” and the fact that she had “been pleased to take notice that the building of towns” should be a priority. However, instead of explaining the wartime needs of the empire and the concerns of the customs office that Edmund Jenings himself (who had approved the act as a council member) had borne witness to in London, it explained the act as “particularly usefull ... to her majesty, in bringing our people to a more regular settlement and of great advantage to trade.”

The remainder of the plan expanded upon this vision, taking what the crown had suggested and remodelling it according to the vision laid out in Beverley’s History and Makemie’s Perswasive. It began with provisions restricting the import and export of almost all goods to the named locations, in keeping with all previous town plans, but then noted that there would be an “absolute necessity” for “convenient buildings for reception of all sorts of goods and persons” and so ordered that “a township or burgh be established at each of the places.” Town development was unmistakably separated from the interest in ports and

40 For the passage of the town act through both houses and the interruptions caused by the other legislation, see JHB, 190-218; McIlwane, Legislative Journal of the Council, 475-78; for the council’s comment, see EJC, 3: 111. For Nott’s opinions on the delays, see CO 5/1340, f. 95-96.
41 HS, 3: 404-19 (quotes, 404).
economic controls, and the innovative use of the urban term “burgh” implied the
development of a civic corporation and distinct political identity. The designation was not
merely a semantic embellishment, either, because the act went on to lay out a complex civic
structure for the new towns. Once they reached thirty families they were to be governed by a
popularly elected corporate body of eight “benchers of the guild hall,” overseen by a
“Director,” a structure that resembled an English alderman’s court and mayor, and once the
town reached sixty families it would gain a common council of fifteen “brethren assistants of
the guild hall” and its own independent representation in the house of burgesses. The act
also made clear that the towns would be expected to develop “a merchant guild and
community with all customs and liberties belonging to a free burgh” and that they would be
empowered to maintain a court system, a militia regiment, a treasury, and a corpus of bylaws,
all distinct from the surrounding county structure. The emphasis on popular elections and
on community identity and collective governance demonstrated an interest in cultivating
civic virtues within the potential towns and harnessing them as potential political tools.
There were also clearly parallels between the fight over popular election of vestrymen and
the decision to make these relatively small urban communities into complex elected bodies.

The act was also designed to draw together a middling population and stimulate a
secondary economy for Virginia below the elite class of tobacco planters. Despite the fact
that the act called for all tobacco to be exported through the towns, it made few additional
references to the colony’s primary staple, and it also lacked the extensive plans for
diversification into other export commodities that had characterized former town legislation.
Instead, it focused on the development of markets and fairs at each of the enumerated

42 Ibid., 3: 405. By the seventeenth century, the word “burgh” or “borough” had taken on a narrow definition
that implied a municipal corporation of lesser status than “city” See Oxford English Dictionary,
locales, which were intended to facilitate a domestic trade in produce and local products and
to draw the economy of each part of the colony into an orbit around the town. Rules
stipulated that no trade of any kind could be carried on within a five-mile radius of each
town, to encourage the development of commercial property at the site, but also to ensure
that whatever exchange was carried on occurred under the eyes of the new town’s benchers
and its open market. The act also sought to shape the potential urban population by
rewarding the construction of permanent residences and wharves with substantial tax breaks;
at the same time it specifically excluded any slaves owned by a town resident from these
reduced taxes, hinting that those who drafted it did not foresee urban slave industries or
wealthy absentee planters becoming established in the town. In essence the plan laid down a
more organized framework for the control and oversight of the domestic economy and
created new opportunities for the emergence of a class of aspiring petty merchants and for
their eventual involvement in the body politic.44

In many respects this agenda of political and economic identity for small towns
resembled that of Makemie’s Persuasive. It seems fair to conclude that the committee that
drafted the plan drew on his urban vision and sought to stimulate popular civic virtues
through a middling community governed by a corporate constitution. They articulated
through the act an older English tradition of the independent corporate borough that did
not fit with the centrally controlled order of customs houses and warehouses that Whitehall
had envisioned.45 This is not to suggest, however, that the act represented a radical attempt
to overthrow the county structure and hierarchy. The plan was, after all, approved by the
leading planters from across the colony. Burgesses were evidently still envisioning these

44 Ibid., 3: 406, 408, 416-17.
45 For the English tradition of civic corporations, see Withington, Politics of Commonwealth; Jonathan Barry,
“Bourgeois Collectivism? Urban Associations and the Middle Sort.” in The middling Sort of People: Culture, Society
locations as county-towns, since they expanded the number of locations beyond the royally sanctioned number of two per river; the finalized act named sixteen sites, but the council later intimated to Nott, when he expressed misgivings, that they had reached that tally by arguing the burgesses down from a previously higher number (likely one per county). True to this design by the burgesses, the act initially empowered the county courts to select feoffees and purchase the land (if it had not already been acquired by a former town act), and it left them in effective control until the town reached the requisite size to break away. Furthermore, the act offered no direct assistance to craftsmen or poor colonists to cover the cost of purchasing town lots and building the requisite property. Evidence of the initial implementation of the act is sparse, but at Yorktown (one of the most successful new towns) the legislation did attract an influx of small planters and craftsmen alongside a number of wealthy local investors.

This mixture of middling and elite investment as a result of the plan suited men like Harry Beverley, Christopher Robinson, and Francis Makemie. They possessed the wealth to invest and develop the towns, to stimulate the market and draw in small planters, and, eventually, to reap the rewards of leadership within these potentially powerful politico-economic hubs. Beverley and Robinson, of course, already held seats on the county bench, but the events of the previous two years had demonstrated that local dominance through the county court system was not straightforward, and the role of mayor within an independent corporation at the heart of Middlesex County might offer them a chance to redraw the structure of local hierarchy. The rise to prominence of the Nelson family in eighteenth-

46 HS, 3: 416-19; EJC, 3: 111.
47 Edward Riley discovered that when Yorktown was resurveyed after the passage of the 1706 act, the lots were purchased by a narrower circle of the local (rather than provincial) leadership than during the first sale in the 1690s. He also discovered that more middling colonists and craftsmen invested in the town. See Edward M. Riley, “The Founding and Development of Yorktown, Virginia, 1691-1781,” (Ph.D. dissertation, University of Southern California, 1942), 64-68.
century Virginia was perhaps a rare example of this path to power proving successful – the revolutionary-era Nelsons who led the colony had inherited a mercantile power base at Yorktown from their father Thomas Nelson Sr., who first bought into the town following the 1706 act. In the new town of Middlesex County, which the 1706 act christened Urbanna, as well as in Yorktown, Hampton, Norfolk, Onancock, and Tappahannock, this combination of leadership by a small section of the local elite and the support of considerable interest amongst the middling population secured enough development to ensure that the young towns would withstand the ultimate annulment of the act.48

Of course not every burgess who discussed the proposal – and certainly not every councillor – had as much to gain as the men who drafted it. For many it may have been appealing as a means of reducing the output of poor-quality tobacco from poor farmers and of securing a position for the middling sort in a world where the rich were rapidly transitioning to slavery. The fact that the act did stimulate development at a number of locations across the spectrum of Virginia’s agricultural zones – from marginal areas such as Accomack to prime sweet-scented tobacco counties such as Middlesex – suggests that it offered different advantages to leaders and investors in different regions. Jenings and his fellow councillors, who had initially raised the whole question along with the London merchants, apparently realized from the other efforts to democratize vestries and re-empower county courts, what the mood amongst the burgesses was, and concluded that if

48 Christopher Robinson moved his residence into Urbanna soon after the legislation took effect (see Rutman and Rutman, Place in Time, 225-26. Francis Makemie, interestingly, also owned a town lot in Urbanna in addition to a number of lots in Onancock, Accomack County. See “The Will of Francis Makemie.” For the Nelson family, see Raley, “Tounding and Development of Yorktown,” 66-68, 81-91. For the development during the eighteenth century at these other locations, see (for Yorktown) ibid., 69-192; (for Urbanna) Rutman and Rutman, Place in Time, 225-33; (for Norfolk) Thomas J. Wertenbaker, Norfolk: Historic Southern Port, 2nd ed. (Durham, N.C., 1962), chap. 1; (for Onancock) Whitelaw, Virginia’s Eastern Shore, 2: 904-26; (for Tappahannock) John W. Reps, Tidewater Towns: City Planning in the Colonial Virginia and Maryland, (Williamsburg, Va., 1972), 67-70. My assertions about the development of Hampton here are drawn from many very enlightening conversations with Hank Lutton, Boston University, and also Hank Lutton “No Towns of consequence: Contextualizing and Reconsidering Urban Places in the Chesapeake” (conference paper, “The Early Chesapeake: Reflections and Projections,” St. Mary’s and Solomons, Md., Nov. 2009).
the crown wanted urbanization in Virginia, this was the only realistic way it was going to win the burgesses' support. They said as much to Nott when, after the session concluded, he threatened not to send the town act to London. Nott was faced with this difficult decision because his orders had arisen from the apparently complimentary but ultimately conflicting visions of Makemie, Beverley, and the London merchants. Each had advocated for towns but had meant very different things, and now Nott was forced to determine if the towns he had agreed to would be acceptable in the metropolis. On a personal level, Nott's conundrum proved unimportant, as he died before the news could have reached London anyway, but for the colony the contradictions remained unresolved as workshops and warehouses were erected on the banks of the bay and the proposal sat in an office in Whitehall.49

Just days after Whitehall finalized Nott's instructions about town building, they rushed off a strikingly similar proposal to John Seymour, governor of Maryland, advocating three towns on the Potomac, three on the Patuxent, and two on the Eastern Shore. A new centralizing scheme for imperial trade and governance sat well with Governor Seymour who, since his arrival in the colony, had laboured to impose greater order and structure. In the process, however, he had raised the ire of Maryland's local leadership to such a pitch that instituting the proposals proved far harder than it was in Virginia. Like that of its larger neighbour to the south, the assembly in Maryland quickly seized on the prospect of a new town plan as a means to undo some of the centralizing work that Nicholson and Seymour had accomplished. However, lacking the Virginia burgesses' confidence in the civic apparatus of English corporations, they chose instead to multiply the number of locations designated for

49 EJC, 3: 111, 128. Governor Nott died on August 23, 1706. After that the council and Jenings (as President) wrote numerous letters to Whitehall, but they barely mentioned the town plan. See CSP Colonial, 23: 476-78, 484, 537, 555, 584-85. For the conclusion of the saga in Middlesex County, see Rutman and Rutman, Place in Time, 225-33.
towns and sought to weave them into the existing patterns of local trade. Unlike Nott, Seymour lived on to challenge his lower house over the issue repeatedly through the remainder of the decade and thus extended the debate over local jurisdiction and the meaning of the town in the English empire in a series of tense debates.

Whitehall’s new urbanization proposal was actually dropped into more tumultuous circumstances in Maryland than it was in Virginia. Whereas Nicholson had already been pushed aside in Virginia, leaving Nott to restore harmony, Seymour was still in the throes of instituting his imperial agenda when the suggestion arrived from London. Seymour’s efforts had already involved increasing intrusion into the way that local communities were organized in the colony and a number of affronts to the men who had emerged from the revolution in Maryland as community leaders.

Nicholson’s replacement in Maryland in 1699, Nathaniel Blakiston, had spent the first two years of the new century struggling to finalize the establishment of the Anglican Church in Maryland. The plan that he and commissary Thomas Bray got through the assembly in 1700 floundered in Whitehall primarily because of the restrictive oligarchic vestries that it stipulated. In a debate akin to that which would engage the Virginia burgesses and council in 1706, the opponents of Maryland establishment complained that the act allowed vestries to co-opt their members and limit the rotation of offices in order to form a local oligarchy. Restrictive vestries had been a controversial issue in England during the previous decade, and when the complaints were brought to the Board of Trade, it was still under the sway of men such as John Locke who had made clear their determination to undermine colonial elites and reconnect with ordinary colonists. The board particularly objected to the incorporation of the vestries, which offered their narrow membership considerable local power to own property and organize local schools, hospitals, and
highways. Board members went through the legislation in detail removing references to incorporation and “avoiding as far as possible the Erecting of a Body Politic.” Bray and English church officials worked out an alternative bill with some democratic features for the Maryland parish system, and Blakiston was able to push it through the assembly in 1702.50

Assembly members in Maryland may have accepted that dilution of local leadership, but they were far less inclined to consent to Seymour’s radical moves upon his arrival in the colony. Noting the inefficiencies and failings of the local legal system, Seymour immediately began formulating plans to restructure it, firstly by restricting the hearing of major county court cases to a narrower group of men he felt were trustworthy, secondly, by replacing the twelve-man provincial court with a five-man circuit court akin to an English assize court, and finally by restricting the legal profession to those who could boast an education at the English Inns of Court. The unmistakeable object of this reform was to centralize and control legal order in the colony and limit the authority of local leadership. When he could not win approval for these plans in the 1705 and 1707 assemblies respectively, Seymour simply implemented them using executive authority and appeals to royal prerogative. Nonetheless, successive assemblies throughout his tenure worked hard to reverse the moves and resentment against the governor rose steadily, ensuring that the issue of county government was still contentious at the time debates over urbanization commenced.51

Whitehall’s renewed zeal for urbanization and the centralization of trade thus fit neatly within Seymour’s plans. He had already embarked on an agenda to reorganize local government, but he had not been able to address the problems with the dispersed mercantile system. Because of ongoing war he had consistently been forced to deal with the problems

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of organizing convoys and securing the colony from privateers. The convoy system in Maryland was complicated because it was largely beholden to decisions about timing and organization that were made in Virginia, from whence all convoys ultimately departed. Seymour and his council were perpetually struggling to decide whether to release shipping and seeking to know the minds of their southern counterparts. The lack of ports worsened the problem, since it deprived Seymour of the ability to quickly receive information about the state of the fleet in particular parts of the colony or dispatch orders for the ships to depart. With the threat of privateers ever present, he was also worried that a dispersed fleet would prove easy pickings for rogue sailors while the ships awaited news from Virginia. In May 1706, a month after the first town plan was approved in Maryland, but prior to its implementation, Seymour held a discussion with “Masters of Divers Shipps now in this Province” to decide the most appropriate location for them to safely rendezvous in light of the lack of ports. Most importantly of all, Seymour was concerned that the chaos of war was making it even easier for Marylanders to engage in illegal trade and evade customs officials. In the summer of 1705, without any apparent knowledge of the urban plans being drafted in Whitehall, he had written to the Board of Trade to suggest the restriction of all Maryland trade to only five ports “which would hinder all clandestine Trade (everybody here having a landing place) and shipps might loade in 5 weeks tyme, H.M. seamen be soone at home againe to serve on boarde the Fleete.” He had expressed grave reservations about ever getting the assembly to consent to such a plan and advocated that the crown might impose it directly. The governor was thus well aware of the difficulty of enforcing naval and mercantile authority, and when the town plan arrived he could easily see its utility.\textsuperscript{52}

\textsuperscript{52} \textit{Archives}, 25: 176-7, 179, 186, 190, 202-03, 225, 227 (quote, 202); \textit{CSP Colonial}, 22:1210. The 1704 and 1705 assemblies re-enacted the Nicholson-era act for Williamstadt and Annapolis, which had established the two
When Seymour called the council together in February 1706, the new instructions about towns were at the top of the agenda. He informed the council that he wanted a quick response and asked them for advice about calling an assembly to formulate an act in time to dispatch it with the convoy expected for early summer. When the delegates gathered in Annapolis in April, he welcomed them with a strident statement of the queen’s “unwearied tenderness” for all her imperial subjects, rehearsing royal efforts to open foreign markets for tobacco and encourage the production of naval store and insisting that these kindnesses “must ever Sincke deepe in the Memorys of all loyal good Subjects.” Having laid this groundwork, he then explained that the delegates had been called together by the queen’s special command to enact vital legislation, the first and foremost of which was “the Erecting Towns and Ports which must certainly render You considerable in a very Shorte tyme.”

Even Seymour, with all his imperial bluster, however, was not insensitive to the subtly different meanings attached to urbanization; while he had assured Whitehall that he concurred that towns would benefit speedy and efficient trade, he reminded the delegates that a few wealthy English merchants had made “your Land & Industrye a sure Monoplie to themselves, whereby You can never let the middle and lower Sorte of People reap any things from a very hard labour.” He worked hard in this opening address to portray the queen as a generous benefactor who was seeking to establish towns for the good of her subjects, but his official correspondence demonstrates that his fundamental objectives had not changed – any advantage accruing to the colony was a useful aside that might lure local leaders to align with imperial interests.51

towns and made them the colony’s only ports of entry, but judging by Seymour’s reaction to the town plan two years later, the rule was rarely observed, see ibid., 26: 433, 516.
Initially the response of the lower house was extremely positive. They acted on the governor's town-building suggestion in two days – much faster than the Virginia burgesses' three-week delay – and promised to debate a bill with “all the Speed and Dispatch” that the issue deserved. Despite Seymour's intimation that the assembly would resist a port act, the response should not have been a surprise. Maryland's economy, like that of the Oronoco-growing regions of Virginia, was enduring a prolonged recession, and planters had already been searching for any means to address the problem. They had made plans to establish a colonial coinage in an effort to limit the drain of specie from the colony, to improve “tillage” and the production of domestic supplies to reduce imports from other colonies, and to increase the size of Maryland tobacco hogsheads to raise their value. In 1704, when the assembly had revised the entire legal code, they were careful to pass an act to secure the titles to town lots dating back to Baltimore's 1680s urbanization efforts that were still held, suggesting that a number of the locations still contained valuable property that colonists did not intend to lose. Furthermore, during the same session, the delegates considered petitions from “the back plantations” complaining about poor infrastructure and suggesting the development of public “rolling houses” where their tobacco could be collected to reduce costs. When Seymour suggested town development, the delegates were thus primed to pursue the scheme in a manner that might help resurrect their economic fortunes. In addition, the delegates' enthusiasm may have been further spurred by the presence in Annapolis of Francis Makemie, who had come to the capital to challenge a ruling Seymour had made about his Presbyterian congregation in Somerset County. Though he did not petition the assembly on the town issue, as he had done in Virginia, it seems likely that he was aware of Seymour's instructions to pursue urbanization. Considering that his Perswasive
had been addressed to Maryland as well as Virginia, he likely also brought copies of the pamphlet for the legislators. 54

True to their initial statement, the lower house drafted a plan in a little less than a week and amended it in only a matter of days. Yet in the process they adjusted the entire definition of urbanity that Seymour had suggested and augmented the plan with numerous details that reflected the ongoing anxieties and concerns of local leaders across the colony. Although their debates on the issue were relatively calm, it was clear that they appreciated the radicalism of their proposal. Just after they debated the plan and before they sent the amended version to the council for consideration, they took the highly unusual step of crafting a brief note of thanks and tribute to Seymour in acknowledgment of his “kindnesses and generous gratitudes shew’d to us.” Seymour was far from a popular governor, and this statement, timed as it was to perfectly coincide with the passage of the town act, seems to have been intended as a piece of politic hyperbole to persuade the governor to approve what they knew to be a far from imperial plan. When the act was ready to be presented to the council, they sent an unusually large delegation of eight men to accompany it and make a grand and united show of delegate support for their plan. Seymour was apparently not convinced by the theatrics, but he did ultimately agree to sign the bill, rationalizing to Whitehall officials that while it was far from perfect, it did offer the chance to secure shipping and might be the first step toward more centralizing royal objectives. 55

How had the lower house deviated from imperial objectives, and in what respects were their definitions of urbanity similar to those of their Virginia neighbours? The answers

54 Archives, 26: 525, 569. For the economic depression in the Oronoco regions of the Chesapeake during these years, see Lorena S. Walsh, “Summing the Parts: Implications for Estimating Chesapeake Output and Income Subregionally,” WMQ, 3d Ser., 56 (1999): 53-94. For efforts regarding coinage, see Archives, 24: 41, 54, 149, 172, 25: 530, 551-52. For efforts to improve “tillage,” ibid., 26: 36-39, 123; for a summary of the fight over the size of tobacco hogsheads, see Jordan, “Royal Period,” 307-8. For plans regarding towns before 1706, see Archives, 26: 146-47, 314-15; for Makerne’s presence at the session, ibid., 25: 212, 26: 528.
to these questions draw us into not only the different economic visions of empire on both
sides of the Atlantic but also the distinctive political divergences within each colony. Like the
Virginia plan, the Maryland assembly’s act placed considerable emphasis on economic
diversification and downplayed the importance of mercantile controls. As previous acts in
both colonies had done, it sought to restrict shipping to appointed places, but, much to
Seymour’s frustration, the Maryland plan only controlled the unloading of European goods
and slaves and did not force the loading of tobacco to be carried out in towns. It went on to
promote diversification by offering all “traders and Artificers” who would settle in the
locations a four-year exception from all county levies, provided that they were “Actually
living and residing with their families” in the towns. It also offered any foreign craftsmen
who would come to the towns a fast track to achieving the full colonial rights of a
“Denizen” and – even more radically than the Virginia plan – specified that all male orphans
who came under county protection would be offered as apprentices to urban craftsmen, thus
transforming the skills of poor colonists and shifting the economic base of the colony. To
provide a market for this new class of men, the act also proposed restrictions incentivising
the exchange of goods in towns, but it did not go as far as Virginia’s plan in specifying
market days and banning trade within a certain radius of the town. These plans fit neatly
within the session’s broader economic reform agenda: the lower chamber also passed a new
act to promote the production of hemp and flax. The town act was clearly intended to
develop the colonial economy and address continued poverty by creating new urban roles
for poor and middling people as producers not of other exportable staple goods but rather
of domestic commodities and crafts. The act made clear that it was targeted at the colony’s
poor with the orphan provision and also by stipulating that people could buy no more than
one lot in the initial sale (to prevent speculation) and that the lots were to be laid out as
evenly and equally as physically possible (which was why so many of the towns were laid out in simple grids). This emphasis on tradesmen and the poor rather than the efficiency of Atlantic mercantile commerce was similar to Virginia’s town act and equally rooted in the vision Makemie had laid out in his Persuasive.\footnote{Archives, 26: 636-45. For the simple grid town plans that were a product of the act, see Reps, Tidewater Towns, chap. 5.}

For all the economic incentives offered to the poor and middling classes in the Maryland plan, however, it lacked one central feature of the Virginia proposal: the elaborate corporate structure of benchers and brethren assistants. The act contained none of the demarcations between urban and county authority that Virginians worked into their legislation. In fact, it was careful to retain, as far as possible, the power of the counties over their towns. Firstly, the towns designated were listed by county, and the commissioners who were appointed were also divided by county. Secondly, although the act allowed space in towns for public buildings, it was clear that in many cases these public buildings ought to be county courthouses and that the county officers (rather than separate corporate officers) were to reside in the towns. Thirdly, the county courts were to administer the new urban spaces by providing a surveyor, appointing the town clerk, and hearing all legal disputes in and about the town. Finally, without a corporate structure the town could not gather and distribute fines and fees to assist with expansion and upkeep, so all of these functions were left in the power of the county court. To some extent these limitations on urban power and identity may have been a product of a less sophisticated understanding of English civic corporate constitutions amongst the Maryland assembly, but as the forthcoming dispute with Seymour over the Annapolis charter was to prove, Marylanders knew enough about urban self-government to have drafted a rudimentary plan if they had so wished. That they chose not to was a product of their ongoing dispute with Seymour over counties’ powers.
this same 1706 assembly session they protested to the governor about the diminution of county courts, to no avail, and so it is hardly surprising that they were unwilling to let potential towns and communities of middling craftsmen slip from the grasp of their local counties. The only sizable town in Maryland at this point was Annapolis, and it was home to a number of Seymour’s allies (whom he would soon appoint as its aldermen). It was a legitimate concern of the assembly that any corporate structure might easily become dominated by gubernatorial appointees and Atlantic merchants; it is worth remembering that, dating back to Lord Baltimore’s incorporation of St. Mary’s City and his appointment of officers at other towns, Maryland had a fraught relationship with corporate civic bodies. If anything, the building of courthouses and the residence of sheriffs and county clerks in towns were designed to elevate their local prestige and authority, and the act also made provision that town lots could only be sold to residents of the county in which it sat. It was not the strength, then, but the comparative weakness of Maryland’s counties vis-à-vis its executive, that prevented the establishment of urban self-governance.\textsuperscript{57}

The realities of the battle over authority in Maryland counties also dictated one other distinctive feature of the colony’s urban plans, namely the much larger number of locations specified in the 1706 act: nearly forty, with up to five in some of Maryland’s counties. The act also made a particular point of listing up to twelve men as town commissioners in each county. To placate Seymour’s desire for imperial order and shipping controls, the delegates appointed only six of the locations as “ports,” including Annapolis, St. Mary’s, and Oxford (formerly Williamstadt), where collectors for regions that contained a number of different small towns would reside – ships would be required to clear at these leading ports before proceeding to the minor centres. This structure demonstrated an understanding of the

\textsuperscript{57} Archives, 26: 636-45. For Seymour’s Annapolis allies and his battle over the city charter, see below 506-13; for the contest over the St. Mary’s City charter, see above, chap. 4.
hierarchy of English towns and ports, where collectors would operate in certain head ports and administer a collection of lesser sites. However, in many respects the multiplicity of locations was a function of colonists’ hesitancy and self-interest, as contemporary commentators noted. Seymour had previously written that colonists were determined not to be inconvenienced regarding their trade, and Robert Quarry, the surveyor of customs, had seconded his judgment when he concluded that “these Gentlemen prefer their Own Interest & conveniency before yt of her Majesty or the publicke good of ye province , for tho they know & are Satisfy’d that it would be more for a publicke good to have a fixt port in each River yet unless each man’s Own Plantation be appointed that place, they never will agree that it Shall be any where else.” These statements echoed assessments such as that of Virginia clergyman John Clayton from the 1680s. This oft-repeated idiom, however, fails to explain why Virginia’s burgesses in the 1700s, who faced the same geographic features and transport concerns, were willing to limit themselves to less than half as many towns spread over a larger colony.

Part of the explanation lies in the greater size of Maryland counties. It was harder to select a single location for a town in Anne Arundel County, Maryland, with a land area of more than four hundred square miles, than to identify a single site for York County, Virginia, which encompassed only a little over one hundred. Yet there were also more complex political factors at work. The number of locations was partly another reaction against Seymour’s centralizing goals for the colony’s administration; more towns meant imperial

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60 These arc the current sizes of the two counties, but I have selected them as examples of a wider trend because they have undergone only minor boundary changes since the turn of the eighteenth century. For my figures, see “Maryland,” and “Virginia,” in Mernam-Webster’s Geographical Dictionary, 3rd ed., (Springfield, Mass., 1997), 713, 1269.
officials could only have limited oversight of the trade (a fact Seymour himself noted to
Whitehall despite having signed the act). 61 Furthermore, more locations enabled the assembly
to justify naming so many men to the town commission in each county, an unmistakable
challenge to Seymour’s efforts to reduce the number of county justices. But it is vital to note
that the greater number of sites was also likely a product of more serious political divisions
within Maryland counties. During the 1700s the assembly was forced to deal with a number
of petitions from dissatisfied colonists for the erection of new breakaway counties, which
culminated, during the same 1706 session, in the creation of Queen Anne County. They also
had to decide on the location of new courthouses for other counties when local populations
were bitterly divided over the most appropriate location. By the time the act passed, they had
already dealt with such contests in Somerset and St. Mary’s counties, and a particularly
contentious and long-running dispute over the location of Talbot County courthouse was
just developing. Such divisions did occur in Virginia – the fight over Middlesex County’s
courthouse that had partly inspired the town act was a case in point – but in that case the
political and economic position of town opponent William Churchill was sufficiently well
established – especially after he secured the location of the courthouse away from the town –
that he had less to fear. It is vital to appreciate, then, that the shape of the town legislation
in both colonies was rooted in similar economic anxieties about the nature of the tobacco
economy, the Chesapeake’s mercantile position within the Atlantic empire, and the rising
number of poor and middling white colonists in developing plantation slave societies, but
the distinct political situations in Virginia and Maryland bred subtly different town
legislation, reflecting different parts of English civic tradition. 62

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61 CSP Colonial, 23: 470.
The implementation of Maryland’s 1706 act reflected the distinctive features of the legislation itself. Right across the colony the legislation received a rapid response from county communities. Although few of the detailed records local leaders were instructed to keep have survived, county records of land sales for urban lots and a notable number of plats and surveys of town layouts attest to a flurry of interest. The clearest evidence of the act’s popularity comes from the assembly session called the following year, during which the delegates were deluged with appeals and petitions to remove, relocate, or merely add to the list of locations they had specified the year before. There were eighteen different proposals to establish new towns or relocate previously specified locations. In some cases the concern was merely with convenience and the relocation suggested was minor, but in others – particularly those involving Somerset County – the assembly was forced to decide between contradictory sets of petitions, pitting local leaders against one another. These disputes emphasized local struggles that had led to the naming of nearly forty towns in the 1706 act, but they also demonstrated that Maryland communities were taking the act’s implications very seriously, even though it had not even restricted the loading of tobacco to towns. In a number of cases the petitions objected to new surveys that had already been carried out or appealed for the relocation of county courthouses to particular sites where work on the town had already begun. In the case of Kent County, the town commissioners had already purchased and surveyed alternative sites, making the relocation a fait accompli before it reached the assembly, but also demonstrating their eagerness to pursue the project. Governor Seymour’s reaction to the mass of new proposals was to assure the assembly he was already “well Satisfied with what the representatives of the severall Countys have already

63 Scholars have used these sources with some success to develop interpretations of the eighteenth-century development of Chesapeake towns. For land records see Joseph B. Thomas, “Settlement, Community, Economy: The Development of Towns on Maryland’s Lower Eastern Shore, 1660-1775” (Ph.D. diss., University of Maryland, 1994), 108-246 passim. For maps and surveys, see Reps, *Tidewater Towns*, chap. 5.
done as to the appointment of Townes.” It was clearly evident that the new proposals arose out of interest and investment in the town plan, not out of a stubborn effort to dissemble and delay the plan.64

The implementation of the 1706 act in Dorchester County is uniquely well recorded because of the survival of the town record book. Eight of the eleven men specified in the act as Dorchester town commissioners gathered for their first meeting only two months after the legislation received Seymour’s assent. Within a week the county surveyor was measuring out the one hundred acres specified for the first of four towns, and the commissioners were deciding on a street layout and agreeing on a price at which to purchase the land from its current owner. The whole process took only a couple of days, and the commissioners moved on to lay out the other towns in Dorchester County, leaving a wooden sign to mark the first site with the name they had chosen for the new town: Vienna.

Several things stand out about this process. Firstly, given Whitehall’s initial purposes in suggesting the plan, it is worth noting that the commissioners made no provision for a customs office or public warehouses. Secondly, the choice of the grandiloquent name, aping one of Europe’s grand imperial capitals, combined with the designation of the riverside thoroughfare as “Thames Street,” to reference London, and the designation of fifteen acres of open ground for the construction of public buildings all suggests a larger political and civic vision. The other towns in Dorchester bore recognizable, if not equally prestigious, names: Cambridge (named in the 1680s), Islington, and Plymouth. Thirdly, the sale price of the town lots was set at the relatively low cost of one hundred and fifty pounds of tobacco, and lots farther from the river were to be sold for a third of that. This decision demonstrated an intention to make urban lot ownership viable for middling colonists. The commissioners

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64. *Archives*, 27: 9-33, 69-96 (quote, 9); for Kent County, ibid., 27: 69, 160.
also loosely abided by the rules the act had set down limiting purchasers to only one lot and restricting the sale to Dorchester County residents; the only outsiders among the initial thirty-one land purchasers were two men from the neighbouring county of Somerset, and most of the initial sales were individual lots. A perfect example of the kind of local tradespeople the act was designed to attract to town was “Thomas Taylor, Butcher of Dorchester County,” who bought a lot. The town commissioners were also careful to note that all lot sales to “he she or they” were to be recorded, clearly appreciating that enterprising women could potentially expand the economic and artisanal base of the town as well as men. The subsequent records did show both purchase and sale of town lots by local women but unfortunately did not specify their occupations. During the following year patents for a further thirteen lots were recorded in the book, and a number of lot transactions also began to be noted. Records in the book stop in 1710 when the Maryland town acts were overturned by the crown, but although the book ceased being updated, the settlement itself continued to act as a port throughout the colonial period. In sum, the town book for Vienna, whilst representing only one of many such efforts to realize the town legislation during this period, can serve as an example of the way in which towns did attract local interest from across the class spectrum of colonial Maryland, and did reflect a broader political and social vision of the town, as well as a strictly economic one.65

Local town development across Maryland’s counties was also paralleled by ongoing disputes in Annapolis between the assembly and Governor Seymour over the nature of the urban plan. In Virginia, the 1706 act was quickly followed by Nott’s death, and because no immediate replacement was dispatched, the burgesses were not called together for another

65 Proceedings of the Commissioners of Towns in Dorchester County, MD, 1706-09, Maryland Hall of Records, Annapolis, 50-65. Admittedly, other Dorchester towns had lower numbers of lot sales to middling and poor colonists. For Vienna’s later development and the contrasting experience of other Dorchester towns, see Thomas, “Settlement, Community, Economy,” 184-210.
four years, which served to stifle further debate on their town act. Maryland’s politics did not fall into the same slumber. In the spring of 1707, Seymour called the assembly together once again in a further effort to impose greater imperial order upon the colony. He hoped to force the delegates to accept his plan for an itinerant assize court and he also wanted to reconsider the town act, “which seems” he explained, “not to be sufficiently coercive, in some of the most material Branches.” The assembly were disinclined to approve Seymour’s new provincial court structure, and in this combative atmosphere they also remained resistant to adopting the “coercive” imperial urban vision that Seymour hoped to add to the existing town act. Seymour passed along to the assembly an anonymous letter in favour of town development that he had received, along with a copy of the Virginia town act from the previous year, in the hope that it might inspire them to reduce the number of locations. Instead, they spent the majority of their session discussing the many petitions and proposals to relocate towns or appoint new ones, and their finished legislation eventually led to a net gain of nine sites. After reading the Virginia legislation, the assembly resolved “not to be outdone by that Government,” but it is unclear in what respects they intended to match the Virginia act. They agreed to draft a new act, much to Seymour’s relief, to restrict tobacco exports to the designated towns and to lay out in more detail the requirements for ships to stop at one of the six main ports to clear with naval and customs officials before proceeding to the lesser towns. However, they also matched this concession with a slew of new proposals of their own. They ordered that all internal trade in small vessels was not to be harassed by naval officers and also empowered counties to appoint as many additional public landings for the loading of tobacco as they saw fit, completely undermining the restrictions on the export of tobacco through towns. Furthermore, they approved various proposals for

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66. Archives, 27: 4-6, 11, 19.
the erection of courthouses in the appointed towns and reaffirmed their determination that all county officers should reside in a town. It was clear that despite Seymour’s best efforts, Maryland’s local leaders on the town commissions and delegates in the assembly had no intention of constructing an urban system akin to that which the London merchant community had proposed.\textsuperscript{67}

Despite the initial rush of planning and surveying in most counties, the construction of warehouses and workshops at so many locations took considerably more time and money, and only a few months after the passage of the 1707 act Seymour and the council began receiving complaints about trading conditions from merchants and ship captains. A third act relating to towns was passed the following year, but it only served to reinforce county control over the urbanizing process, and by that point, as we shall see, Seymour had more serious urban troubles to deal with in Annapolis. A flurry of urbanizing energy had succeeded in founding a range of places, from Vienna to Baltimore, which would eventually grow into villages, small towns, or even major cities, but the town acts themselves had become entangled in the political firestorm over Seymour’s constitutional reforms. They encapsulated the vital questions that Seymour’s administration was raising about the maturation of Maryland society and its place within the empire.\textsuperscript{68}

Nott and Seymour experienced the difficulty of implementing Whitehall’s new vision for urban development. The fundamental divergences among the ideas about towns espoused by Makemie, Beverley, and the merchant community in 1704 inevitably came to the fore.

\textsuperscript{67} Ibid., 27: 27. For the debates over relocations and additions, ibid., 27: 69-96. For the text of the 1707 act, ibid., 27: 159-68.
when colonial leaders attempted to draft legislation. The differences were not just mercantile disputes about the production, sale, and price of tobacco. They were part of larger political debates about who defined the “public good” within the empire, about the problem of class divisions within a slave society, and about the more precise definition of leadership within tidewater communities. The fact that towns raised both internal and Atlantic questions explains why Nott and Seymour did not flatly refuse proposals that went above and beyond their initial instructions; both men appreciated that only by allowing their respective assemblies to debate town-founding as a tool to shape their local social orders could they hope to provide Whitehall with the infrastructure it had requested to control trade within the empire. The range of political questions raised by urban development also explains why the town legislation in Virginia and Maryland differed so markedly when both sets of delegates studied the same royal instructions and likely pondered the same arguments in Makemie’s Perswasive. Because of Seymour’s aggressive efforts to centralize Maryland’s administrative machinery, delegates in Annapolis were more defensive about the prerogatives of county courts. Equally, because of the greater economic hardship in Maryland and the less solidified status of the county elites, it proved much harder to force local communities to accept the cost and the uneven opportunities of designating one or two towns. Virginia leaders such as the Beverley brothers were happy to extend the promise of corporate self-government to a middling sort in new towns because they had the power, over both the governor and the middling colonists themselves, to decide where those places would be and how they would be laid out. The acts that were drafted in both colonies between 1706 and 1708 represented the most comprehensive effort to outline the purpose and nature of towns in the plantation colonies of the English Atlantic, an effort that drew together the tensions of economic, social, cultural, and political evolution in Chesapeake society.
If the Maryland gentry thought that the issues of urbanization and political authority had been settled by 1708, they were soon to realize what a chasm remained between them and their governor. While Seymour had largely been prepared to acquiesce to the assembly’s plans for provincial town development, hoping that any development might be turned to the empire’s commercial advantage, the political stakes of urban form and governance at the colony’s capital, Annapolis, were significantly higher. Francis Nicholson had built Annapolis as a visual and administrative hub for English empire in Maryland and kept it under his oversight. He had imbued it with commercial, cultural, and political significance for the whole colony, but, keen to maintain his personal authority, he had still not fully settled the issue of the city’s governance when he was called away to Virginia in 1698, leaving an ambiguous gap in its administration and oversight. As Annapolis grew, the question of its constitutional status remained contested between the governor and the provincial assembly who both called it home. During Seymour’s tenure the tensions over Annapolis forced the assembly and governor to debate the place of the independent civic community within colonial society. Maryland’s assembly directly challenged Seymour’s right to issue a distinct urban charter and thus alter an urban community’s relationship with the empire. In the process they asserted bold and unique claims about their authority over civic communities within the colony and their relationship to the broader provincial body politic. Although their town acts had been a circumspect reaction to Seymour’s aggressive intrusion into county government, their determination to remodel city government in Annapolis to serve a more comprehensive public interest demonstrated an innovative and assertive new approach to the question of cities and imperial political order within the English Atlantic.69

Nicholson had resisted calls to incorporate Annapolis and instead had coerced the assembly to pass an “Act for Keeping Good Rules & Orders in the Porte of Annapolis,” which had named himself and Secretary Thomas Lawrence at the head of a seven-man committee with extensive powers over the city. There was provision in the act to elect their successors, but when Nicholson left the colony, and Lawrence departed shortly thereafter, no one could match the stature and authority of the men lost. At least as far as the construction of the capital’s church was concerned, Nicholson retained his authority and personally retained the building funds while he governed Virginia.⁷⁰

Between 1699 and 1704 it remained unclear who was supposed to administer Annapolis. The members of the lower house were keen to take over supervision of the city, and as soon as Nicholson departed they began to take action. In 1699 they fined one of the remaining town commissioners, Edward Dorsey, the excessive sum of £200 (against the advice of new governor Nathaniel Blakiston) for his failure to complete the church. They eventually offered Dorsey a deal in which they agreed to forgive the fine in exchange for the deed to a townhouse he had built in Annapolis, which lower house members were eyeing as the location for an provincial armoury, and in the process they got to demonstrate their authority over the men Nicholson had selected as town commissioners. During the next few years, they went further in their efforts to assert control while Blakiston exercised lacklustre authority. In 1702 they heard an appeal by tavernkeeper Dinah Deavaver, who complained that Secretary Lawrence had charged her the higher Annapolis rate for maintaining her ordinary despite the fact that it lay across the river to the north of the town. In overturning Lawrence’s ruling, delegates asserted their right to determine the boundaries of Annapolis’ civic space. The lower house also began to register complaints about the use of the town

common, which Nicholson had insisted on including in the original Annapolis plan; delegates complained that it was overburdened with the townspeople’s animals “to the prejudice of the public,” suggesting that they saw the common as the property of the whole colony rather than a corporate right. Finally, the lower chamber also held power over the city in the form of the appointment of the assembly’s doorkeeper and mace bearer, because these offices came tied to the corollary office of “gatekeeper” for Annapolis. The gatekeeper maintained the fence and ditch that designated the city boundary and policed the city’s streets, so having the office controlled by an assembly appointment rather than by the town commissioners helped the delegates maintain control of the capital’s day-to-day affairs.”

Despite his appeals, Governor Blakiston had not been able to move the delegates to pay for a governor’s residence in the town—they told him he could “Live at Annapolis or Elsewhere.” While he attempted to persuade the assembly to buy fourteen guns for the city to assist with royal ceremonies, days of public fasting or thanksgiving declined during his tenure.” All of this changed, however, when Governor Seymour arrived in 1704 with his extensive agenda of imperial reforms. He greeted the delegates who gathered in September with a list of proposals including his plans to streamline county courts, but also the desperate need for a governor’s residence in Annapolis and the odd rule that still allowed St. Mary’s City two elected officials while Annapolis had none. From the first, then, it was clear that Seymour’s vision for addressing the structure of county government also involved settling the status of cities and corporations. However, assembly members did not meekly surrender the authority over the capital that they had accrued. They delayed consideration of the electoral status of Annapolis until the next session, and when they debated “whether the

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78 Ibid. 22: 356, 454, 24: 210. For the decline of days of ceremony during Blakiston’s tenure, see ibid., 25: 51-122.
Countrey is at present in A Capacity of building a house for her Majts Governor,” they simply concluded it was not. Yet later in the session they decided to write to the council requesting that the “Pews appointed for the Delegates of Assembly [at St. Anne’s Church in Annapolis] may be built at the publick Charge.” Admittedly the cost of wooden pews and the flagstone floor they also requested was not equal to the price tag of a gubernatorial residence, but the principal was unmistakable – public money could be expended to mark the delegates’ status on the urban landscape through designated pews in the capital church, but funds did not exist to reinforce Seymour’s position in the town.”

The dynamics of the struggle over Annapolis were changed later that year by a fire that engulfed the statehouse. The conflagration provided Seymour with opportunities to demonstrate his control over and concern for the city. He acted quickly in response to the fire, not only in addressing immediate problems such as finding a home from the surviving records but also in establishing a city office specifically charged “to go about the Towne ... every Night in the Winter to Warn people to have a care of their fire and to take into his Custody and bring before a Magistrate any Disorderly persons.” When the assembly met a month later, William Bladen, an ally of Seymour and a provincial official who held several posts in the colony, was already primed to offer his services in rebuilding the statehouse. The assembly accepted his offer, although in the midst of this crisis they also found time to return to the issue of their church pews. The conflagration had also destroyed a number of provincial records, including the map and plat of Annapolis that Nicholson had sealed in such ceremonial fashion during his tenure. Without the plat, city land transactions would prove considerably more difficult to validate and organize. However, despite their repeated claims to control the urban space as public property of the entire colony, the lower house

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7 Ibid., 26: 39, 70, 72-73, 134, 137-38.
refused to commission a new town survey and opined that townspeople ought to “lay out
their Lots at their own proper Charge.” The delegates were likely mindful of the ceremonial
use to which Nicholson had put the original map, and they also resented the governor’s
allies, such as Bladen, whose property in the town would be secured by the survey.”

By 1707, Seymour had already reduced the size of the county courts and prompted
the first town act, but he was meeting increased resistance on both counts. The 1707
assembly session was to be dominated by his new plan for itinerant assize courts and his
effort to strengthen the town legislation, but he also made clear that he was no longer going
to brook opposition to his influence in Annapolis. He complained to the lower house a few
days into the session that the city had not been surveyed correctly under the terms of the
1706 town act and that property had been “Ingrossed into three or four Peoples hands to
the great Discouragement of the neighbours who would have built and Inhabitt therein.”
That Seymour would approve such a message appears odd, considering that most of the
major investors in the town during these years were members of the governor’s trusted
coterie of attorneys and merchants. Who exactly Seymour was targeting remains unclear, but
his complaint did suggest that he objected to any uncontrolled distribution of power and
influence within the capital. Later in the same session, however, the lower house responded
with their own renewed effort to police the city. They commissioned a report about the state
of the town and subsequently renewed their complaint about urban residents’ excessive
livestock. They drafted new rules and regulations in the city that would be enforced by the
gatekeeper whom they appointed. Using their power of legislation, they were effectively

*Ibid., 25: 179-81, 26: 399, 427-28, 524, 569. For William Bladen, see C. Ashley Ellefson, “William Bladen of
Annapolis, 1673?-1718: ‘the most capable in all Respects’ or ‘Blockhead Booby?’” in Archives of Maryland Online,
www.amo.md (Annapolis, Md., 2007). The delegates’ renunciation over the new town plat might have been
owing to the fact that Bladen was currently trying to use such records to stake claims for town lots (Archaeus,
26: 587-89).
seeking to manipulate the city’s population in the interests of what they saw as a more
general provincial public good. Seymour and the council, however, responded by demanding
a series of amendments the delegates were not prepared to accept, causing the legislation to
flounder. These contests to shape urban policy in Annapolis were only a minor part of the
struggle between Seymour and the lower house during the 1707 assembly, but they
demonstrated that the growing city had problems that needed to be addressed; they also
suggested that the governor and the delegates each felt they had a better understanding than
the other of how to mould and use the space to the public interest - whether that be
Seymour’s imperial seat or the assembly’s provincial capital.75

Seymour came away from the 1707 session disappointed. The lower chamber had
refused to accept his amendments to the bill for city administration and rejected his plan for
an itinerant assize court, and they had only minimally strengthen the restrictions of the town
act. In the summer of 1707 he took direct action to establish the narrower itinerant
provincial court that had been rejected by the assembly, and he also issued a proclamation
preventing attorneys from practicing in the colony without experience at London’s Inns of
Court or a special dispensation from himself.76 These reforms were paired with important
new steps to bring the very heart of the colony under closer supervision. In the spring of
1708, Seymour staged a show of strength in the city by executing Richard Clarke, a longtime
rebel who had been suspected of arson in connection with the statehouse fire. By July he had
received news of the Act of Union between Scotland and England and decided it would also
make a fitting occasion for a public ceremony akin to those of Nicholson’s time – he called
together a number of county militia regiments for a parade and proclamation in Annapolis.77

75 Archives, 27: 16, 55, 124, 127.
76 Ibid., 25: 210, 216, 220, 223-27, 236.
77 Ibid., 25: 240-41, 243-44.
Finally, on August 16, 1708, he made the dramatic decision to incorporate the capital city. In keeping with his desire for control and order, he favoured an extremely narrow corporate structure. He appointed a mayor, a recorder, six aldermen, and a common council of ten and gave them authority over the city’s public life as well as its public property and legal jurisdiction akin to county justices. He extended to them alone the right to elect their replacements officers and two delegates to the legislature. The men he appointed were primarily drawn from among the largest landholders in the city and from the class of wealthy lawyers and merchants who had developed careers serving the imperial administration and acting as agents for London interests. They were natural choices to fill the seats of an urban corporation, but the lack of popular elections and the oligarchic basis of their power were very reminiscent of Lord Baltimore’s charter for St. Mary’s City or the restrictive corporate hierarchies that Charles II and James II had imposed in England during the 1680s. Despite what the lower house would later claim, however, Seymour was well within the boundaries of English urban corporate precedent. In many respects he was merely resurrecting the direct control that Nicholson had enjoyed, albeit through a more institutional form. He was treating the capital city as a special kind of urban community that required a narrow elite leadership worthy of its direct political ties to the imperial system.

True to this definition of strict loyalty, when Seymour called a new assembly a month later, he opened the session with a combative speech in which he complained that they differed from the queen’s other dominions where “with open loyal Hearts [subjects] run to

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78 Chancery Records 2, 590-94, Maryland State Archives, Annapolis, Md. For a general narrative of the charter controversy, see C. Ashley Ellefson, “Governor John Seymour and the Charters of Annapolis,” in Archives of Maryland Online, www.amol.net (Annapolis, Md., 2008).
79 The aldermen appointed by the first charter were Amos Garrett, Wornell Hunt, William Bladen, John Freeman, Benjamin Fordham, Evan Jones, Thomas Boardley, and Josiah Willson. For a discussion of the largest urban landholders in this era, see Baker, “Annapolis,” 195. For a discussion of the political structures of English corporations and the impact of the Restoration era, see Phil Withington, The Politics of Commonwealth (Cambridge, 2005), chap. 2; Paul D. Halliday, Dismembering The Body Politic: Partisan Politics in England’s Towns, 1650-1730 (Cambridge, 1998), chaps. 5-7.
obey and serve her Sacred Majesty." He also attacked the efficacy of local magistrates who "grow careless" in the regulation of morality and social order. It is no surprise that Seymour chose to emphasize this point, having instituted the new provincial court and the Annapolis charter. The corporate community and the assize court were both English institutions, with restrictive oligarchies, that were thought to achieve these virtues of loyalty and civic responsibility. As the new delegates arrived in the city they would doubtless have learned of the new corporate structure the governor had instituted and could not fail to appreciate that it was an attempt to tighten control over the capital city space, which they had previously claimed as the public property of the whole colony. However, the governor's opening speech also underlined that, like the assize court, the charter was an innovation designed to redefine political relationships in the colony and assert a special relationship between the city and the empire that might eventually extend to tie the provincial towns, which they were currently erecting under county control, more closely into the imperial orbit.80

Signs of trouble appeared immediately, when the committee for elections spent three days debating the various electoral returns of all counties and corporations. When they delivered their report, they noted that they had received complaints about the new arrangements in Annapolis and were contesting the validity of the elections of William Bladen and Wornell Hunt, the two men who had been selected to represent the city by its corporate officers. On October 1 the delegates examined the city's new charter and concluded that the two men had no right to sit in the assembly. Later that day they heard a fresh petition by two town residents, Thomas MacNemara and Thomas Docwra, who complained not just about the election but about the whole concept of the city charter. The following morning the lower chamber took the far bolder step of unanimously declaring the

entire city charter invalid, on the basis that Seymour lacked royal sanction to incorporate urban communities.\textsuperscript{84}

Despite their provocative decision to not even inform Seymour of their vote against the charter, the governor quickly learned the news. Palpably furious, he called the delegates into his presence and accused them of an “ill grounded heat and Rashness not at all becoming the Station you fill.” Then he made his constitutional position clear by declaring that they had no right to reject the charter and invalidate the city delegates because the city delegates’ “commission for sitting in your house is derived from the same fountain of Authority which admits you thereto.” In essence, Seymour was asserting that the county communities who elected most delegates were no less dependent on English imperial will than the new Annapolis corporation. With crown authority, the governor was claiming the right to create and dismantle the various political communities that made up the body politic of Maryland. The recent incorporation, in Seymour’s mind, was merely an example of him adjusting this balance to achieve the virtues he had identified as lacking where it mattered most – in the provincial capital. His opinions echoed the logic that the Calvert family had used in drawing up the charter for St. Mary’s City back in the late 1660s, but now the stakes were even higher because the authority to incorporate was far more closely tied to royal prerogative, and most of the men appointed were not merely friends and allies of the governor, but officers and agents of English empire and mercantilism.\textsuperscript{82}

In their response the lower chamber articulated a new definition of urbanity and of their capital city, which reflected a different view of Maryland’s place within the empire.

\textsuperscript{84} Ibid., 27: 207-10. MacNemara in particular was an intemperate troublemaker whom Seymour considered the very antithesis of the virtuous civic ideal. As an attorney, he had “Contemned and Affronted the Justices as well as abused his Clients”; he had also insulted the governor’s authority in a public forum as well as mistreating his wife and refusing to pay for her separate support. Ibid., 25: 226-40.

\textsuperscript{82} Ibid., 27: 191, 218.
They claimed to have acted “upon Complaint of Several of the Freeholders and Inhabitants of Annapolis who conceived themselves under some hardships by the said Charter” because they considered themselves “the proper center to which all Aggrieved may apply themselves for Redress.” Such an assertion staked out their position as defenders of the entire common good of the whole population and subsumed the interests of the imperial capital city to the needs of the larger provincial community. They then went on to claim that the charter deprived the body politic of Maryland of a range of basic rights. These included the right of ordinary townsmen to vote in elections (because the city delegates would be selected exclusively by members of the corporation), the right to have petty legal cases heard by a single county justice (because the aldermen were empowered to sit as a court to hear any type of case in the city), and the right of the public to hold and control the provincial offices and buildings in Annapolis that had been handed over to corporate oversight. These were ambitious claims, since it was extremely difficult to prove that any of them were unquestionably “Rights and priviledges which the Laws of England” guaranteed, as the delegates suggested. There were certainly examples of English boroughs where only corporate officers voted for members of Parliament. The principle, however, was that the lower house claimed to represent the entire colonial community, and they did not recognize the empire’s right to erect new political units outside their control. They expanded their rather illogical position by claiming that they knew of no explicit authorization to Seymour that would allow him to issue charters but then conceding that if “all the Inhabitants and Freeholders of Annapolis request the same,” they would “readily concur” with a charter. Essentially, they were asserting that it lay entirely within the power of the colonial body politic, and the assembly as their representatives, to create and define civic power.83

83 Ibid., 27: 220-21.
Seymour's response was swift. The following day he dissolved the assembly and issued a proclamation for fresh elections throughout the colony as soon as possible. It is a mark of the significance of this battle over urban incorporation that this proved to be the only occasion throughout Seymour's tumultuous five-year term as governor that he took the dramatic step of completely dissolving an assembly. But the move did not have the desired effect. When the new election returns began filtering into the city six weeks later, it was clear that voters had not ousted Seymour's opponents. He was forced to compromise, but, rather than waiting for the new assembly to dictate reforms, the governor made changes using procedures he believed to be more fitting. He had the Annapolis corporation and other townsfolk petition him "to enlarge the Charter" to allow freemen of the community the right to vote for the city's delegates and members of the common council. This procedure maintained the legal formula in which he dealt directly with the civic community rather than involving the assembly. After formally receiving the petition, he requested that the corporation itself prepare revisions of the charter and then agreed to the new charter. That new charter, crucially, made no changes other than expanding the franchise of the town—controls over trade, law, and public property in the city remained untouched.  

When the new assembly gathered, Seymour was able to take advantage of another convenient English military victory in the ongoing war—at the Battle of Oudenarde—as an excuse to begin the new session with a show of military strength, firing off the cannon in Annapolis in celebration. But neither the smell of gunpowder nor the new city charter impressed the delegates. They immediately asked the governor again what royal authority he had for issuing the charter. In reply he insisted that he had "ample Authority from her most sacred Majesty to erect Citys & Boroughs as well as Castles & forts & that the first are to be

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84 CSP Colonial, 24: 290; Elihu S. Riley, "The Ancient City": History of Annapolis, in Maryland, 1649-1887 (Annapolis, Md., 1887), 86-91. For the text of both charters, see Ellefson, "Governor John Seymour."
Erect by Privileges & Grants from the Crown neither are Boroughs Seldom or Ever walled or fortified.” Royal commissions dating back decades had contained the right to establish urban corporations alongside fortifications and castles, but the lower house was evidently taking issue with the idea that the governor’s right to “erect” referred to anything more than the physical building of defences. Seymour told them that he was answerable only to the queen for matters of incorporation and that they ought to give up their fallacious opinion: “her Majesty has Impowered his Excell to Erect Citys & Boroughs [and ] It is not the Walls but Incorporting makes them so.”

Ultimately, however, Seymour lost the energy to fight further in this issue. He was becoming ill and had lost patience with the delegates. When the lower chamber requested a conference about the charter, he agreed, and the men who met were able to work out a compromise to settle the dispute. The charter would stand as Seymour had issued it, but the assembly insisted on passing “An Act Confirming and Explaining the Charter of Annapolis.” Through this legislation they effectively annulled numerous parts of the charter, including the corporation’s right to make bylaws binding on nonresidents, its right to exact tolls on markets and fairs, and its right to control civic property, including the city’s common. The whole exercise was constitutionally anomalous, as the Maryland assembly effectively claimed the right to “Explain and Restrain” parts of a charter issued in the queen’s name on the basis of safeguarding the “Libertys and Priviledges of the publick.” The lower house of assembly had won the right to redefine incorporation as a process intended purely to serve the common good of the province and through which the influence of an administrative and mercantile elite in the colony’s capital could be restrained rather than reinforced.86

85 Arhnes, 27: 229.
86 Ibid., 27: 229-32, 358-59.
The assembly's conceit of "explaining" a royal charter represented the apogee of a debate about the relationship between imperial authority and the colonial body politic that had been played out through the status of the provincial capital since Nicholson's departure. For nearly a decade Maryland's elected delegates had attempted to claim control over the capital city, and after a fierce struggle they had won recognition of the fact that the city was part of a political structure of which they themselves defined the limits. Seymour was never completely resigned to the defeat he suffered. As he neared death, he wrote his final letter to Whitehall with his most stinging critique of the colony's local leaders, who, he claimed, styled themselves "country-born." He accused them of being corrupt as well as "ignorant and raw in business, and naturally proud and obstinate." But, most damningly, he explained that they "almost believe themselves independent of the Queen's Governour" and "would have all things under their Jurisdiction." To this vitriolic letter he attached a copy of the new charter of Annapolis. The dispute over the city had done more than any other crisis of Seymour's tenure to demonstrate that the assembly claimed a dangerously expansive (and almost independent) authority over the province.  

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The debates in Virginia and Maryland during the period 1706-8 had resulted in five pieces of town legislation. Each acts was distinct, ranging from a Virginia plan that established a slew of "Free Burghs" to the Annapolis act that placed tight restrictions on a civic corporate entity, and each was rooted in the complexities of colonial legislative debate. Despite the variations, however, they were all responses to the economic and political problems that different sections of Chesapeake society faced at the start of the eighteenth century. They represented the difficulties of forging unity in local county communities, of defending those

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* CSP Colonial, 24: 410. 
same communities from the centralizing impulse of the imperial state, and of asserting colonial economic influence in an Atlantic market affected by warfare and customs restrictions. Lawmakers in both colonies sought to reclaim control over the definition of urbanization and, by extension, their community and its place within the empire. However, the initial metropolitan debate in 1704 had demonstrated that those definitions were not stable within the Atlantic world, and even though both Seymour and Nott eventually consented to the legislation that was drafted, getting the plans approved in Whitehall was another matter entirely.

When the town plans reached the metropolis late in the winter of 1706–7, the Board of Trade immediately dispatched them to the customs office. The burgesses’ other plans for limiting the governor’s control of county courts were immediately rejected, hinting that the board would have little truck with assertions of local political culture. Thereafter discussions of the town proposals were extremely limited. All of the board’s energy for Chesapeake affairs was taken up in dealing with warring factions of English merchants who could not agree on how to manage the tobacco trade and the convoy system. They received the adjustments to the Maryland act and letters from Seymour asserting that the revised plan may yet assist with managing trade, but they also learned of the governor’s increasing frustrations with the colony’s local leadership in general, and this likely tainted their reading of the legislation. Jenings and the Virginia councillors who governed after Nott’s death did absolutely nothing to further the town plan, which had never matched Jenings’s initial ambitions of 1704. These factors, likely combined with the fact that none of the acts took immediate effect, delayed any decision on the legislation for many months.88

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Finally, in the spring of 1709, fresh reports about the state of the tobacco and slave trades from Jenings spurred the board into action. They enquired of the customs office whether a decision had been made on the town acts, and in July they received a response. The customs office noted that “tho we are Still of the same Opinion” about the usefulness of towns to customs collection, the “Establishment of Townes and Incorporating the Planters and others there with the Priviledges” would only serve to stimulate the manufacture of linens and woolens, and would undermine royal revenue. Planters in both colonies ought instead to concentrate on producing tobacco on as much waste ground as possible. This report appears to be a classic restatement of the narrow mercantile vision of English officials, but the politics behind it were somewhat more confused. Virginia Council members had done little to promote towns in recent years and had written complaints about linen and woolen production in the colony, but they had never even hinted that such diversification was occurring in towns – in fact, they had pinpointed the southside of the James River as the main linen-producing region, where only one town (Norfolk) had flourished. Cloth production was not an industry that required urban infrastructure, and the town acts in both colonies had made no explicit provision for developing a woollen industry. Furthermore, the idea of encouraging even greater production of tobacco by small farmers as well as big plantation owners did not jive with the interests of elite Virginians or the advice of royal customs chief Robert Quarry.80

A few months after the customs office report reached the Board of Trade, leading tobacco merchant Micajah Perry, who had initially been a staunch advocate of the town act, appeared before the Board of Trade to urge that the negative report be immediately

80 CO 5/1362, f. 252, 383; CO 5/1316, f. 105-10; CO 391/2, f. 76; CSP Colonial, 24: 215, 216. For the Virginia council’s statements about linens and woolens, see CSP Colonial, 23: 476-78, 484, 537, 555, 584-85; for Quarry, see CSP Colonial, 23: 483.

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forwarded to Queen Anne so that she could annul the legislation for both colonies. Perry
and his fellow merchants also arranged for a delegate to the Maryland assembly, John
Bradford of Prince George’s County, to appear before the board and testify that practically
no building work had been carried out at the town sites. Bradford explained that ten towns
had been laid out on the Patuxent River (with which he was clearly most familiar) but that
there were “but few houses built” because “¼ of those Built were Warehouses for Lodging
of Tobacco.” As far as Virginia was concerned, he “understood that nothing at all had been
done there towards the Building of Towns.” This report did not seem to agree with the
customs commissions’ conclusions; Bradford was suggesting that the towns were not the
feared woolen-manufacturing centres but merely tobacco ports with numerous warehouses.
Equally, he appeared woefully uninformed about circumstances in Virginia, passing on
hearsay and rumour that other evidence suggests was far from accurate. These contradictions
are explained, however, by understanding a little more about Bradford. Although he was a
relatively new immigrant to Maryland, he had served in the confrontational assemblies of late
1708 and had been an active opponent of Governor Seymour during the Annapolis charter
controversy, suggesting that he was resistant to the imposition of imperial corporate
structures on the colony. He also served as a merchant factor for John Hyde, another of the
major tobacco traders in London, who escorted him to the Board of Trade to give the
testimony. The influence of Bradford, Hyde, and Perry in the process of annulling the town
legislation and the Virginia council’s reticence on the issue, despite the inherent
contradictions in their collective testimony, suggest that a small coterie of English merchants
were deeply concerned by the political and mercantile potential of the new towns that were
developing during these years. They used the spectre of linen and woolen production and
the glittering promise of increasing royal tobacco revenues to overturn legislation that
governors and officials in the colony did not see as a threat to the crown but that was problematic for the tightly bound commercial interests of the Atlantic mercantile elite.90

The Board of Trade’s final report on the issue suggested that there was more to their opposition than concerns about linen manufacturing. In recommending the annulment of the both colonies’ acts, they specifically targeted the Virginia plan, which they claimed “extends much further than was intended by your Majesty’s foresaid Instructions; For it is thereby Enacted That each Place therein Mentioned for Ports be Establish’d into a Township or Free Burgh – That they have a Market at least twice a week and a fair once a year – That the same shall have a Merchant Guild and Community, with all Customes and Liberties belonging to a Free Burgh.” They went on to list all of the other urban privileges granted by the act and claimed that, “the whole Act being designed to incourage by great Priviledges the Settling in Townships,” it would encourage manufactures, reduce the market for English goods, and cut tobacco output. These fears were clearly rooted in mercantilist concerns about maintaining the colonies’ dependence on England, but the primary emphasis placed on the corporate structures in the legislation demonstrated that they were the most alarming aspect of the proposal, despite the fact that they had no inherent tie to manufacturing. The Maryland acts established more locations than the Virginia one, long one of Whitehall’s greatest complaints about Chesapeake town plans, and they also explicitly instituted trade apprenticeships, but although the Maryland acts were also targeted for annulment, the board spent far less time enumerating their dangers. 91

All of these conclusions appear to contradict the orders the board had issued to Nott and Seymour in 1705. The merchants had suggested a limited plan for “ports,” but Beverley

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91 CO 5/1362, f. 438-42.
and Makemie had convinced them to expand it into a proposal for "towns," and the board's instructions had signalled that they were aware of the necessity of "bringing the People to a more regular Settlement" as well as collecting tobacco revenue. The radical nature of the colonial plans, and their impact on the political economy and social order of the region, clearly worried both the merchant community and Whitehall officials. After their decision to annul the town plans, the Board of Trade broke with the convention of recommending that the colonies draft new ones. Instead, they concentrated on trying to enforce reforms to reduce the size of land grants, as a more straightforward means of encouraging "regular Settlement" and imperial supervision. By contrast, though, the board completely ignored Seymour's protests about the Annapolis charter, which arrived just as the town acts were being reviewed – they did not even debate overturning the act explaining the charter, despite the fact that it also set a precedent for provincial legislatures to control the local economy and social order. This was likely owing to the influence of men such as John Bradford, who testified against the town act but had helped to frustrate Seymour over Annapolis. 92

These mixed signals of approval and disapproval for colonial urban government were part of an emerging compromise over towns in the Chesapeake. Whitehall officials had finally concluded that towns in the plantation colonies were potentially troublesome institutions that did not suit the empire's needs. Allowing local leaders to craft urban communities (even within strict limits set in the metropolis) offered them too much control of not only the tobacco supply and price but also the whole political economy of the Chesapeake. Equally, however, Seymour's experience (and that of Nicholson in Williamsburg some years before) had demonstrated that it was practically impossible to maintain a closed imperial corporation, tied directly to the crown, because it posed too great

92 For Nott's original instructions, see CO 5/1337, f. 54-55. For the official rejection of the town acts, see CO 5/1316, f. 128; for the interest in land reform, see CSP Colonial, 24: 216; CO 5/1316, f. 160-63, 235-38, 426-28.
a threat to colonial leaders whose investment and influence would be required. The Board of Trade had come to appreciate fully the ramifications of the divergent opinions that Beverley, Makemie, and the merchant community had laid out five years before. Towns would never be able to simultaneously solve the colonies' economic woes, address their growing social divisions, secure the crown's tobacco revenue, and increase imperial oversight of local government. The political, social, and economic potential of urbanization simply made it an unwieldy tool for empire.
Epilogue

Putting Down Pens and Picking Up Tools

Royal rejection of the Virginia and Maryland plans of 1706-1708 spelt the end for ambitious town-founding legislation in the Chesapeake. News of the annulment sparked new proposals in Virginia for a less ambitious port act. The delegates of Robert Beverley’s King and Queen County were in favour of this plan, as were a majority of the council, but the new lieutenant governor Alexander Spotswood had received no instructions about towns and did not encourage the plan. The watered down commercial proposal offered little to tempt middling planters and never gained enough support amongst the burgesses. Whitehall, Williamsburg, and Virginia’s county justices were now all too wary of fresh town development. Both colonies continued to wrestle with the problems of an unstable tobacco market, the dangers of Atlantic war, and the pretensions of the English imperial state. Yet they began to do so without invoking the political, economic, and cultural power of towns.¹

Both colonies actually saw considerable urbanization in the eighteenth century; some of the places founded by town acts developed, new locations such as Fredericksburg and Joppa received legislative approval, and some very successful cities developed, most notably Norfolk, Richmond, and Baltimore. Some successful towns eventually prompted provincial legislation to recognize their importance, endowing them with political independence. Norfolk was formally incorporated in 1736. However, this civic development was distinct from the plans and projects before 1710 – it generally marked urban development rather than seeking to manufacture it. The abrupt end to forced town-building in the Chesapeake may appear odd – especially given the very recent radicalism and complexity of Virginia’s 1706 plan – but when the political and cultural history of urbanizing efforts over the

previous century is surveyed, the sudden conclusion makes sense. The social and political uncertainty of life in the seventeenth-century colonies had allowed the potential of dramatic urban growth to appear useful or beneficial to various groups within the Atlantic world, but urbanization in the eighteenth-century Chesapeake lost much of its radical political edge.2

The change in discourse can be observed by comparing the decision to incorporate Williamsburg in 1722 with the Annapolis charter controversy. Williamsburg underwent considerable development in the 1710s, under the guidance of new lieutenant governor Alexander Spotswood, the burgesses approved funds for rebuilding Bruton Parish Church, and they paid for Spotswood’s increasingly elaborate work on what came to be known, because of its opulence, as the Governor’s “Palace.” The burgesses also established a subcommittee, at Spotswood’s suggestion, to resurvey the town lots and improve the streets. Such expense was notable because tobacco prices remained depressed and successive assemblies were resisting many of Spotswood’s other schemes, including projects for colonial defence, on the basis of cost. By 1718, when relations between Spotswood and the local elite had become strained and the governor had few allies in the assembly, the burgesses attempted to inspect the Governor’s Palace and rescind some of the funding that had been granted for it, but the governor was able to rebuff their efforts.3 City projects did


not engender the same competition and resentment between sections of the colonial government as previous public work in the various colonial capitals, and the governor’s residence actually proved the only point of contention. This was in large part because the burgesses and councillors themselves enjoyed the trappings of the town, with refined entertainments such as the theatre and the bowling green appearing during these years.¹

There was less debate over the political status of Williamsburg during Spotswood’s tenure. Some of the governor’s fiercest critics were based in Williamsburg, including the merchant-storekeepers Archibald Blair and John Parke Custis, and at the start of the 1718 session they hosted a private bonfire to rival the governor’s own party in honour of the king’s birthday. However, control of the city’s public spaces did not impinge upon political debate as it had done ten years before in Annapolis. The General Assembly approved a trickle of money for upkeep of the town’s streets but neither chamber attempted to exert any direct influence over the work. Equally, when Spotswood was prompted by the townspeople in 1717 to grant a charter, he appears to have taken no action either; his reluctance to personally craft an enfranchised borough was surprising given that he was repeatedly unable to get his supporters elected to the House of Burgesses during these years and that his close ally Peter Beverley was denied the right to represent William and Mary in 1715.²

Despite this apolitical attitude toward the city, by 1720 the burgesses were receiving appeals from petitioners who styled themselves the “Freeholders and Inhabitants of the City

¹ Contemporary accounts noted the urban entertainments in this period; see Hugh Jones, The present state of Virginia: From whence is inferred a short view of Maryland and North Carolina, ed. Richard L. Morton (Chapel Hill, N.C., 1956), 66–71; Statistical analysis of William Byrd’s diaries also enables us to observe the expansion of urban sociability. Comparing Byrd’s visits to Williamsburg between 1709-1712 with those between 1720-21 reveals an increase in his daily social interactions (from 3.75 per day to 5.23 per day), his visits to inns and taverns (from 0.3 per day to 0.51 per day), and his recreational walks and carriage rides (from 0.34 per day to 0.6 per day). Statistics from personal database - Byrd’s diaries can be found in Louis B. Wright and Marion Tinling, eds., The Secret Diary of William Byrd of Westover, 1709-1712 (New York, 1972); Louis B. Wright and Marion Tinling, eds. The London Diary and Other Writings: William Byrd of Virginia (Oxford, 1958). For Annapolis, see Leone, The Archaeology of Liberty in an American Capital: Excavations in Annapolis (Berkely, Calif., 2005), chap. 3: Paul Shackel, Personal Discipline and Material Culture (Knoxville, Tenn. 1993), chps. 2-3.
² Billings, Selby, and Tate, Colonial Virginia, 190; JHB, 6: 47-48, 60; LfC, 3: 457-58.
of Williamsburgh,” requesting funds for a market house, the one thing the burgesses had declined to approve at Spotswood’s suggestion in 1713. It is impossible to know if these petitioners had a partisan leaning in the political struggles of the era, but the burgesses were sceptical about expending additional funds. They dismissed appeals for further expenditure on the capital until finally, during the 1722 session, agreeing to petition Spotswood to incorporate the city and give the residents the power to levy fees to pay for the needed urban improvements. The message the burgesses sent to the governor differed decidedly in tone from the Annapolis debate of 1708. It noted the success and expansion of the capital city and the practical need for swifter justice and a reliable market for citizens, but practically no reference was made to the city’s jurisdiction or enfranchisement, and they emphasized that Spotswood was free to organize the details of the plan “in Such manner as you in your great wisdom shall think fit.” Nor did the governor seek to use the charter as a political tool; he agreed to incorporate the city along uncontroversial lines, with a mayor, recorder, aldermen, councillors, and one elected burgess. Despite bitter political divisions within the colony that equalled those of the Nicholson era, Williamsburg’s charter had a far less tempestuous birth than that of Annapolis. The city had become a centre of sociability, where Spotswood’s grand residence did not seem a space apart from the rest of the colony and the aspirations of leading planters, and thus its creation as a distinct political, social, and economic entity was less threatening to the whole structure of the body politic. In eighteenth-century Williamsburg and Annapolis, an urban culture assuredly developed, typified by the famous Tuesday Club in the latter, but it reflected the contemporary shift in England from civic communities to a new polite urban public sphere of clubs and coffeehouses.6

Interest in developing other towns had not evaporated. A considerable number of the sites appointed by the town acts began to develop as trading centres for the tobacco economy during the first half of the eighteenth century, including Norfolk, Yorktown, and Urbanna. Many new urban foundations were also laid in both Virginia and Maryland after 1730. The most notable was on the Patapsco River, where the city of Baltimore was initially appointed in 1729 and thrived as a major port. Apart from Baltimore, however, most new towns were inland at the falls of the major rivers or in the Shenandoah Valley. All of these urban centres tapped into the newly commercialized piedmont region that developed an economy based around grain rather than tobacco. None, however, were organized as part of a colony-wide effort to alter the economic or political structure of the region; most were the work of individual land owners who saw commercial potential in their land.

One of the first such men was Governor Alexander Spotswood, who had brought the news of the royal rejection of the 1706 act. Spotswood designed a private town, named Germanna, to accommodate German immigrants on the upper Rappahannock River; it was intended to protect the frontier and develop an iron industry. Another of eighteenth-century Virginia’s ambitious urban planners was William Byrd II. In 1733 he laid the groundwork for the cities of Richmond and Petersburg on his land near the falls of the James and Appomattox rivers respectively. In his *Journey to the Land of Eden*, Byrd wrote eloquently of founding the cities; having visited the sites, he mused that “the truth of it is, these two place,
being the uppermost landing of James and Appomattox rivers, are naturally intended for marts where the traffic of the outer inhabitants must center. Thus we did not build castles only, but also cities in the air.” There was a clear tension in Byrd’s comment: it demonstrated a frank awareness of the commercial potential of the land around the fall line, but the ethereal final sentence reflected Byrd’s appreciation of the cultural significance of being an urban founder. A description of Norfolk in Byrd’s earlier *History of the Dividing Line* demonstrates the same tension; it first focuses on the city’s economic capacity but then in the next paragraph explores the character of the distinct “townsmen” and their culture. In reality, Byrd’s town building was not as poetic as he made it sound; he was being pressured by the assembly to establish the towns and the designs he drafted were basic grids without the baroque flair of the Williamsburg or London streets he so enjoyed strolling along.⁸

Byrd was one among many ambitious urban speculators of the eighteenth century, and his surviving writings allow us a better glimpse into the new imperative of urbanization: he was clearly well aware of the potential cultural and political connotations of city building that had been debated by the men of his father’s generation, but he pursued towns as private endeavours to serve particular economic interests. William Merriwether, a member of the House of Burgesses, who attempted to repeat Byrd’s success by establishing a town adjacent to his land in Hanover County, was so eager to sell lots (all of which he apparently vended within a few month) that he neglected to leave room for streets and was forced to advertise his mistake in the *Virginia Gazette*. Nonetheless he did not promise to correct the error by also allowing land for public buildings or a common; he was doing the minimum necessary

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to ensure the site’s commercial viability. The pattern was also repeated in Maryland, where leading provincial politician Daniel Dulany established the town of Frederick in 1745 on a large tract of frontier land that he owned.9

There had, of course, been naked economic interest at work in previous urbanization efforts, but it had been bound up with the potential to reconceptualise the political and social order. By the 1730s, though, Byrd, Dulany, and their fellow gentry, had little use for the civic aspects of town founding. Their position atop Chesapeake society, and within the Atlantic world, was more secure than their fathers’ had been. The planter elite had shifted to a slave labour economy and acquired vast acreages of land, so that when, in the late 1710s, tobacco prices began rising, they were in position to take advantage. A coterie of leading families was able to gain a tighter grip on the political and social order, firmly establishing patterns of deference. Scholars have noted how this elite gentry class reinforced itself using rituals at local churches, county courthouses, and the increasingly elaborate mansions they constructed for themselves. Williamsburg and Annapolis flourished as sites to gather and express this culture of refinement, in much the same way that these leading planters had hoped when they approved the relocation of the capitals. The relationship among the prestigious homes, the courthouse, the church, and the distant provincial capital created a spatial order across the wealthy tidewater regions of the colonies. This nexus was predicated upon physical display by community leaders and their oversight of both the slaves on their plantations, and the structures of local authority. Once this order was fully established, they had little to gain by drawing upon the contractual and communal civitas of an urban corporation. Thus, where they did develop, commercial towns were a space apart, occupied

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9 For Mernweather’s town, see Virginia Gazette, Sept. 14, 1739, 4. Another of the backcountry towns founded in the eighteenth century – Peyton’sburg, in Halifax County – was laid out with only two streets, meaning that 154 of the 208 lots lacked any street frontage, see Hendricks, Backcountry Towns, 76-79. For Fredericksburg, see Aubrey C. Land, The Dulans of Maryland (Baltimore, Md., 1955), chap. 11 (esp. 179-81).
by Scottish merchant factors, petty craftsmen, or foreign immigrants who came streaming
down the Shenandoah Valley from Pennsylvania. For gentlemen such as Byrd and Dulany,
settling these men and women in towns could be a source of revenue, but they did not need
or want to imbue them with the political and social power of corporate status.  

The hardened spatial and economic order was best articulated in the development of
the tobacco inspection system. Another reaction to the continued instability of the price of
tobacco, the system was initially proposed by Spotswood but finally realized by lieutenant
governor William Gooch in 1730, and it was only adopted in Maryland in the 1740s. It
mandated the appointment of numerous warehouse locations where all tobacco had to be
sent for inspection by locally appointed officials; poor quality leaf was to be burned in order
to maintain high standards, limit exports, and hopefully inflate the value of the weed. By
raising prices and limiting illegal trade, the plan worked to the advantage of both provincial
planters and English officials. In some respects it bore striking similarities to the earlier town
proposals that had sought to centralize and restrict trade; now, though, all pretensions to
urbanity had been stripped away, disconnecting the warehouses from the political and
cultural life of local communities, and leading planters were given the positions as inspectors,
entitled to gather fees and safeguard the price of their product. Riots broke out amongst
poor and middling colonists in some areas, and warehouses were burned, but the plan won
over enough burgesses to become law. It allowed for greater control over the tobacco trade,

10 For the planter elite and their culture, see Rhys Isaac, The Transformation of Virginia, 1740-1790 (Chapel Hill,
N.C., 1980); Allan Kulikoff, Tobacco and Slaves: The Development of Southern Cultures in the Chesapeake, 1680-1800
(Chapel Hill, N.C., 1986); T. H. Breen, Tobacco Culture: The Mentality of the Great Tidewater Planters on the Eve of the
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Political Elite, 1680-1790 (Charlottesville, Va., 2009); A. G. Rieber, “Authority, Law, and Custom: The Rituals
of Court Day in Tidewater, Virginia, 1720 to 1750,” WMQ, 3rd Ser., 37 (1980): 29-52. For Scottish merchants in
small tidewater trading centres, see Jacob M. Price, “The Rise of Glasgow in the Chesapeake Tobacco Trade,”
WMQ, 3rd Ser., 11 (1954): 179-99. For merchants in eighteenth-century Virginia, see Peter V. Bengstrom,
and over the colony’s position within the Atlantic economy, without endangering the balance of political culture on the local level.¹¹

These developments in county courts, tobacco warehouses, and refine homes, however, emerged out of the gradual evolution of provincial thinking about the relationships among the planter, the local community, and the empire, which the town debate had facilitated. Contemplating various plans for urban development enabled the emerging elite to challenge the shape of English imperial oversight, to debate class relationships within an increasingly slaveholding society, and to define the contours of local government in the county court structure. Only in the 1710s, after a century of uncertainty, did Whitchall officials, Atlantic merchants, and Chesapeake elites stop debating urbanization; they all began to appreciate that the potential power of civic communities might do more harm than good to the economic and political positions they had carved out. The business of town building in the Chesapeake was just gaining steam, but the discourse of town building that has been traced in this study was coming to an end. The whole process of projecting and planning towns and cities in the region during the previous century had been more than an expression of economic interests: it had been a means of articulating what kind of social, cultural, and political order Chesapeake society should develop. It had reflected the differing opinions on this subject emerging from a tumultuous English political scene, captured the distinct political and economic circumstances of Maryland and Virginia, and paralleled the emergence of plantation slavery in the region. The civic debate had helped to craft the space and society of the Chesapeake.

¹¹ Billings, Selby, and Tate, Colonial Virginia, 178, 236-42; for the tobacco inspection acts and the relationship between gentry and yeomen in the Chesapeake, see Kulikoff, Tobacco and Slaves, 105-16, 207-31. Grooch composed a pamphlet to persuade middling planters to back his plan, and it clearly articulated the ideal of the deferential relationship between local leadership and ordinary colonists in Virginia counties that had replaced any concept of civic community. See William Grooch, A Dialogue Between Thomas Sweet-Scented, William Orne, Planters, both men of good Understanding, and Justice Love-Country, who can speak for himself (Williamsburg, Va., 1732).
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